MISSISSIPPI LAW JOURNAL

PROCEEDINGS

MISSISSIPPI STATE BAR

FIFTY-FIRST ANNUAL MEETING

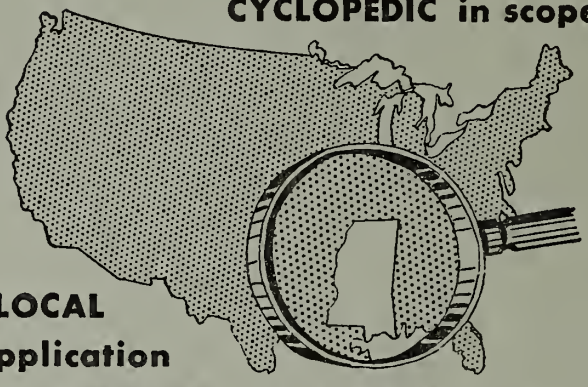
October, 1956

VOLUME XXVII NUMBER 4

Now-

Over 20,000 Expertly Drafted
Pleading and Practice Forms

CYCLOPEDIC in scope



LOCAL
in application

AMERICAN JURISPRUDENCE
PLEADING AND PRACTICE
FORMS ANNOTATED

Designed to fit every conceivable situation
Complete with references to your local statutes
Numerous checklists to guard against omissions
Keyed to governing law as stated in AM JUR
Low-priced as only a formbook marketed nationally can be

SPECIAL INTRODUCTORY OFFER

Send for complete information, or ask for Volume I on 15-days' approval, without obligation. If you decide to subscribe to the set, you may keep Volume I with our compliments. Write to either company for full details, or for Volume I on approval.

THE LAWYERS CO-OP. PUB. CO.
ROCHESTER 14, NEW YORK

BANCROFT-WHITNEY COMPANY
SAN FRANCISCO 1, CALIF.

More for Your Money with Insured Safety

Are You Responsible for These:

- PENSION FUNDS
- LEGAL TRUST FUNDS
- CORPORATE ACCOUNTS
- PERPETUAL CARE FUNDS
- INDIVIDUAL ACCOUNTS

3% CURRENT DIVIDEND

Many lawyers in charge of money for others find that First Federal of Jackson is one of the best places for trust funds. Accounts are insured up to $10,000 by the Federal Savings and Loan Insurance Corporation. In addition, they are guarded by the sound management which has made the institution grow into one of the largest Savings and Loan Associations in the south. All funds are available upon demand.

Assets Over	$58,000,000
Surplus Over	3,800,000

Accounts Easily Opened and Handled by Mail...

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION — CAPITOL AT STATE
JACKSON, MISSISSIPPI

THE J. E. NEILSON CO.

DEPARTMENT STORE

OXFORD, MISS.

The Best Place to Shop for More
Than 100 Years

YOUR LIBRARY IS INCOMPLETE

Without:

MISSISSIPPI LAW JOURNAL, VOL. I

This valuable reprint, originally published in 1928, has now been reproduced in every detail. Among the contributors to this priceless volume were: *W. H. Hemingway, Chief Justice Sidney Smith, Judge T. C. Kimbrough,* and *R. E. Wilbourn* (then retiring President of the Mississippi State Bar).

$10.00 POSTPAID

SEND YOUR NAME AND ADDRESS NOW TO:

MISSISSIPPI LAW JOURNAL

University, Mississippi

Mississippi Law Journal

JOURNAL OF THE MISSISSIPPI STATE BAR
Member, National Conference of Law Reviews
Member of the Southern Law Review Conference

VOLUME XXVII OCTOBER, 1956 NUMBER 4

CONTENTS

PROCEEDINGS OF THE MISSISSIPPI STATE BAR 269

ADDRESSES

Luther M. Bang, *Financially Speaking* 271
Paul Carrington, *Professionally Alert* 277
John Ben Shepperd, *Quo Vadis, Pips?* 285
E. Smythe Gambrell, *Address of the President of A. B. A.* 293

PROCEEDINGS OF THE JUNIOR BAR SECTION 310

ADDRESSES

Judge L. Arnold Pyle, *Ethics of the Legal Profession* 310
Charles B. Henley, *President's Annual Address (Jr. Bar)* 316

COMMITTEE REPORTS 321

SENIOR BAR

American Bar Association Membership Campaign 321
American Citizenship 321
Budget and Finance 321
Complaint Commissioner 323
Constitutional Rights 324
Coordination of Activities 327
Legislative 329
Memorial 329
Mississippi Law Institute 331
Mississippi Law Journal 337
Procedural Reform 341
Professional Fees 342
Public Relations 349
Recompilation of Mississippi Code 353
Revision of State Bar Act—By-Laws 353
Study (Jr. and Sr. Bar) 359
Taxation 362
Water Resources 364

JUNIOR BAR

Code Study 365
Estate Planning Conference 368
Ethics 369
Institutes 374
Legal Aid 374
Mississippi Law Institute 376
Public Relations 376
Unauthorized Practice of Law 377

DIRECTORY OF MISSISSIPPI STATE BAR 378

GENERAL INDEX TO VOLUME XXVII

Entered as second class matter, November 25, 1936, at the Post Office at University, Mississippi, under the Act of Congress of March 3, 1879.
Published in October, December, March, and May
$4.00 Per Annum $1.50 per Current Number
EDITORIAL AND BUSINESS OFFICE, UNIVERSITY, MISSISSIPPI

Mississippi Law Journal

JOURNAL of the MISSISSIPPI STATE BAR
MEMBER, NATIONAL CONFERENCE OF LAW REVIEWS
MEMBER OF SOUTHERN LAW REVIEW CONFERENCE

VOLUME XXVII OCTOBER, 1956 NUMBER 4

MEMBERS OF THE LAW JOURNAL BOARD

BAR COMMITTEE

CHESTER L. SUMNERS, *Chairman*
Oxford

MERLE F. PALMER, *Vice-Chairman*
Pascagoula

WILLIAM H. BIZZELL
Cleveland

MAXWELL BRAMLETTE
Woodville

CARY E. BUFKIN
Jackson

ROBERT E. COVINGTON, JR.
Quitman

WILLIAM F. GOODMAN, JR.
Jackson

SIDNEY L. HURDLE
Holly Springs

THOMAS Y. MINNIECE
Meridian

BRAMLETT ROBERTS
Oxford

WILL E. WARD
Starkville

FACULTY ADVISOR
ARTHUR B. CUSTY

EDITORIAL BOARD
WILLIAM D. ADAMS
Editor
LESTER STANLEY COOK, JR.
Assistant Editor
H. NOLEN FANCHER
Business Manager
JOHN M. BEE
Assistant Business Manager
MALCOLM T. YAWN
DOUGLAS C. WYNN
Case Editors
JOHN A. WELSCH, JR.
Comment Editor
CLYDE E. BRACKEN, JR.
Book Review Editor
JESS B. ROGERS
Index Editor
EDWARD L. ATKINSON
RICHARD H. CARLISLE
JOSEPHINE P. JOHNSON
JACK F. DUNBAR
JOE W. HOBBS
SCOTT TENNYSON
SHANNON CLARK
WILLIAM OWEN MAYFIELD
JAMES F. McKENZIE
HAL FREELAND
Associate Editors

The JOURNAL seeks to print matter of merit and interest; being desirous of offering freedom to contributors, it assumes no responsibility for the views expressed herein.

MISSISSIPPI STATE BAR
1956-1957

OFFICERS

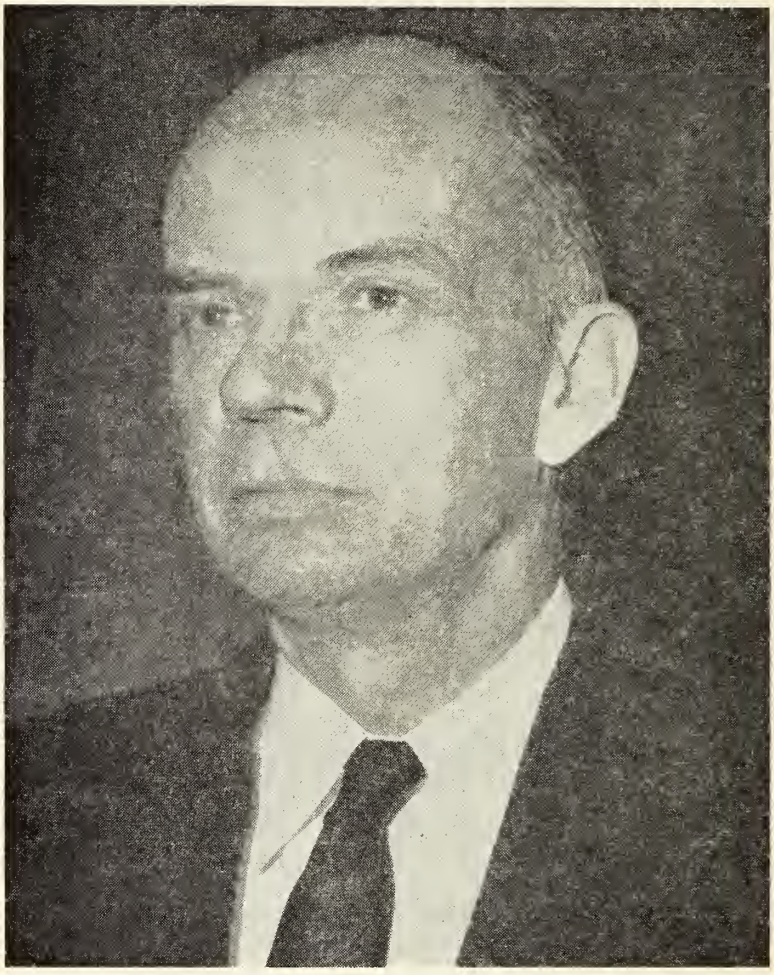
M. M. ROBERTS OF HATTIESBURG ..... PRESIDENT
W. S. HENLEY OF HAZLEHURST ..... FIRST VICE-PRESIDENT
CHARLES B. HENLEY OF JACKSON ..... SECOND VICE-PRESIDENT
MRS. ALICE NEVELS OF JACKSON ..... SECRETARY

COMMISSIONERS

Douglas D. Shands ..... Tupelo
George E. Morse ..... Gulfport
Sidney L. Hurdle ..... Holly Springs
William C. Keady ..... Greenville
Marshall Perry ..... Grenada
Louis G. Baine, Jr. ..... Woodville
Erskine W. Wells ..... Jackson
Sidney T. Roebuck ..... Newton
Burkett H. Martin ..... Vicksburg
Robert E. Covington ..... Quitman
Semmes Luckett ..... Clarksdale
James S. Finch ..... Hattiesburg
Martin Mooney ..... Collins
Ethel R. Arrington ..... Hazlehurst
William H. Stewart ..... Poplarville
W. H. Jolly ..... Columbus
Herbert M. Fant ..... Sardis
Jack Deavours ..... Laurel

Digitized by the Internet Archive
in 2012 with funding from
LYRASIS Members and Sloan Foundation

http://archive.org/details/mississippilawjo27proc



JOHN C. SATTERFIELD

Retiring President of Mississippi State Bar

PROCEEDINGS OF THE FIFTY-FIRST ANNUAL MEETING OF THE

Mississippi State Bar

Held at Jackson, Mississippi, on the 22nd and 23rd of June, 1956

The Convention was called to order in the Hotel Edwards in Jackson, Mississippi, at 9:30 A.M., June 22, 1956, by Mr. John C. Satterfield, President of the Mississippi State Bar.

The invocation was delivered by Dr. W. B. Selah of Jackson.

An address of welcome was delivered by Mayor Allen Thompson of Jackson, and was responded to by Mr. Breed Mounger of Tylertown.

Mr. Laurin W. Ware of Crystal Springs presented the Report of the Committee on American Citizenship.[1] Upon motion and second the committee's report was adopted.

President Satterfield acknowledged the filing of the Report of the Memorial Committee, and recognized Mr. Gibson B. Witherspoon of Meridian, chairman of the committee. No action on the report was necessary.

Mr. W. S. Henley of Hazlehurst, Chairman of the Committee on Public Relations, announced that the committee's report had been printed and distributed to the members in attendance. At his request, Judge Lunsford Casey of Laurel explained that part of the report dealing with a proposed *Handbook for Jurors,* and Mr. W. Arlington Jones of Hattiesburg, Chairman of the Public Information Committee of the Forrest County Bar, reported to the Convention on the Forrest County Bar's radio program, "You and the Law."[2] Upon motion and second the committee's report was adopted.

President Satterfield acknowledged the filing of the Report of the Taxation Committee, and recognized Mr. Warren V. Ludlam, Jr., of Jackson, chairman of the committee. No action on the report was necessary.

Mr. Phil Stone of Oxford presented the Report of the Committee on Procedural Reform. Upon motion and second the committee's report was adopted.

President Satterfield then delivered the President's Annual Address.

---

[1]All committee reports will be found in Appendix A.

[2]The remarks of Judge Casey and Mr. Jones are included in Appendix A, as a part of the Report of the Committee on Public Relations.

At his request, his address has been withheld from this issue of the *Journal.* It will appear in a later issue.

Upon completion of the President's Address, Mr. Forrest G. Cooper of Indianola moved that the address be placed in pamphlet form and distributed to every bar association in the United States. Judge Lester Clark of Hattiesburg moved to amend the motion to include as recipients of the pamphlet the Justices of the Supreme Court of the United States, the United States senators and representatives from the State of Mississippi and all other senators and congressmen who signed the Southern Manifesto, and the Attorney General of the United States. As thus amended, the motion was seconded and unanimously carried.

Mr. Heber Ladner, Secretary of State of the State of Mississippi, reported to the Convention the progress which has been made in recompilation of the Mississippi Code of 1942.[3]

Judge William N. Ethridge, Jr., Associate Justice of the Supreme Court of Mississippi, presented the Report of the Study Committee. Upon motion and second the committee's report was adopted.

President Satterfield acknowledged the filing of the Report of the Legislative Committee, and recognized Mr. Earl T. Thomas of Jackson, chairman of the committee. No action on the report was necessary.

Mr. Joe H. Daniel of Jackson presented the report of the Committee on Revision of State Bar Act and By-Laws. Mr. Daniel moved the adoption of Item One of the committee's report. The motion was seconded and, after discussion, carried. Mr. Daniel then moved the adoption of Item Two of the committee's report. The motion was seconded and, after discussion, defeated.

The meeting was then recessed for the morning.

FRIDAY, JUNE 22, 2:00 P.M.

President Satterfield acknowledged the filing of the Report of the Law Journal Committee and the Report of the Editorial Board of the *Mississippi Law Journal,* and recognized Mr. Bramlett Roberts of Oxford, chairman of the Law Journal Committee. No action on these reports was necessary.

Mr. J. Kearney Travis of Hattiesburg presented the Report of the Budget and Finance Committee. Upon motion and second, the committee's report was adopted.

Item Two of the report of the Committee on Revision of State Bar Act and By-Laws having failed of adoption, Chairman Daniel moved the

[3]Mr. Ladner's report is included in Appendix A.

adoption, as an alternative to the procedure outlined in Item Two, of the following amendment to Article One of the By-Laws:

> In order to provide continued and uninterrupted leadership in the Bar, and to permit advance planning in its affairs, the First Vice-President shall hereafter succeed automatically to the office of President upon the expiration of the term of office of the President or in the event of his death or inability to serve. This amendment shall become effective upon adjournment of the 1956 meeting of the Mississippi State Bar.

A motion to table was defeated and, after discussion, the motion to adopt the above alternative was carried.

Because of the defeat of Item Two of the committee's report, Chairman Daniel moved that Item Three of the report be tabled. The motion was seconded and carried. Upon motion and second, Items Four and Five of the committee's report were then discussed and approved. After discussion, a motion to table Mr. Daniel's motion to adopt Item Six of the committee's report was sustained.

Mr. W. S. Henley of Hazlehurst then introduced Mr. Luther M. Bang of Austin, Minnesota, who delivered the following address:

FINANCIALLY SPEAKING

Luther M. Bang

I didn't come here to pick a fight. I came here to make friends, but I am going to have to be frank, and I am going to have to be a little bit rough at times in giving you the picture as I see it. I didn't come here to tell you folks how to run your business. I could learn a lot from you on how to run my business. I came here to tell you and to show you the results of some of my studies and some of the studies of others who are much more authorized than I to speak.

The figures I am going to give you this afternoon are from United States Department of Commerce surveys and analyses that have been made over a period of many years. And this is not a program of giving you my personal opinion so much as it is to give you the results of studies of thinkers who have pointed out to me, and I know they will to you, the sad state, the sad plight economically, that the legal profession of America finds itself in today, for no other reason than that we have been asleep and that we continue to sleep while the best of the brains and the best of the abilities of our country, while they may go to law school, end up working for insurance companies, banks, trusts, industry, and what have you. The brains that are going into the private practice of law,

while there are still many, are not going in in such numbers as they once did, because the economic return is not there as it used to be.

Now, with those introductory remarks, I would like to start with my slides, if I may. I would like to have the screen moved over there where we had it, and the projector lit up. I have a light switch down here which I will flash when I want to change the films. [EDITOR'S NOTE: From this point the address was illustrated by slides projected on a screen. The speaker's remarks should be considered with this in mind.]

I will start out by saying that at the outset in Minnesota we knew—we made a survey—that the matter of fees was in, let us say, an uproar. The variation in charges for the same services ran anywhere from a hundred to a thousand percent, without any justification, and the question was to determine whether or not a statewide advisory schedule was feasible. The first study was made to determine the cost of doing business, and we found out from our survey that the cost of doing business in villages of five thousand and less was almost identically the same as the cost of doing business in Minneapolis, Saint Paul and Duluth. The difference was less than sixty-five dollars per month per average lawyer. Now, that was made up in rents and salaries only. When the country lawyer began to figure up his extra telephone and automobile expense, transportation charges, extra charges that he had for services for his equipment and so on, very quickly the matter was equalized. In other words, there is no reason in Minnesota—and I think the survey will prove to you there is no reason in this state—for the country lawyer working for one-half the fees that the city lawyer works. It is not good business. It isn't sense.

Now, here are some of the variations that we found in Minnesota. I don't want to be talking about my own state, but I am thinking that perhaps the survey in your state might indicate some similar situation to exist, although I would say that I have studied your recommended fee schedule which you all recently made, and those men who drew that up for you used common sense; believe me, it's a practical approach, but you must use it wisely. It must be used as a minimum fee schedule, not the maximum fee schedule, or it will defeat its purpose.

In the drawing of a complaint, in simple form, in the fourth district, seventy-five dollars, in the tenth, twenty-five dollars. Drawing an answer, in simple form, in the fourth district, fifty dollars, and in the thirteenth, twenty dollars. An adoption proceeding, seventy-five dollars in the fourth district, twenty-five dollars in the nineteenth, and in one district of Minnesota the lawyers prided themselves on handling adoptions free of charge. Now, that sort of variation is not good public relations. It is not good business.

Much the same situation prevailed in the probate field. We had a minimum recommended fee at the time in 1950 of one and a half per cent, and we felt that there was absolutely no adherence to it. In Dakota County seventy-six per cent of the business was handled at from three to four per cent, whereas in the neighboring county of Brister only fifteen per cent of the business was handled at that rate. And in Ramsey and in Carson Counties none of it was. In Carson County sixty-five per cent of the business was handled at five and one-sixth per cent. Now, that sort of stuff gets around to the public, what it is in the neighboring county, the neighboring community, and as a matter of fact often in the same community, and again remember that what we are talking about here is the recommended minimum in every case.

In my own home town, sixty-seven and a half per cent of the business in probate work was handled at less than one and a half per cent. In Redwood County, sixty-six and seven-tenths percent was handled at less than one and a half per cent. In other words, in many counties throughout the state of Minnesota the lawyers were cutting fees. They were cutting fees way below the recommended minimum.

This is an interesting study. It's a chart showing the fees that are recommended by state legislatures. State legislatures are composed in every state largely of lawyers, and you would think that there would be some basis of agreement, that they would arrive at somewhat the same basic figure. For settling a $40,000 estate, in the state of New Mexico, the legislature set up a lawyer's fee of $2,150. In Iowa, the legislature had $920 as a minimum for doing identically the same work.

Now, this affects our profession. It affects the American lawyers everywhere. Cannot we as lawyers—if Chrysler, General Motors and Ford can figure up the cost of an automobile down to the cost of the last nut and bolt—can't we come closer than the variation of three hundred per cent in the cost of doing business?

These are figures which the state bar associations have adopted, recommended minimum fees in regard to probate work. And there you will notice that in Colorado the lawyer says that he should have $2,400, and in Minnesota, my great state, they say $950 is plenty. That should be the minimum, says the Minnesota Bar.

Now, this is a startling chart, I think. Up until 1940 the incomes of the medical profession and the legal profession were about the same. Every year up to that time the average individual lawyer in America had an annual net income before taxes higher than the average annual net of the American doctor. In 1942 a change took place, and since that time the individual American doctor has far out-earned the average individual

American lawyer. These figures are all net before taxes. They are the figures of professional people who are self-employed. They include those in partnerships—for example, doctors in clinics. They do not include practitioners who are employed by private industry. In 1951 the average American doctor, net before taxes, $12,798; the average American lawyer, $8,933. Now, that is on the national level.

Let's as quickly as we can go from state to state, because I want to hammer this idea home with you, that this is a cancer which is eating at the vitals of the profession in every state in the Union. It is here in Mississippi; it is in Tennessee, in Minnesota, Iowa. Take for example, the state of Iowa, one of the wealthiest states of the United States of America. The average Iowa lawyer is the poorest paid in the entire United States. Would you believe that? $5,207 was his average in 1951. We have no figures since 1951 because there have been no dependable surveys since that time. In California, doctors $16,219 and lawyers $11,536; Oregon, doctors $16,204, lawyers $7,556.

Now, is there anything to justify this? When we consider that the change took place from 1942 only, is there anything to justify this, so far as education is concerned? So far as training is concerned? So far as mental capacity is concerned? What does justify it? There is no justification for it, except that we have not kept abreast of the times and the other professions have. We have been asleep, and for the most part, it isn't you and I who are here at this meeting who are hurt. The people who are hurt are perhaps those who are home because they can't afford to be here. The ones who are hurt the most are the young lawyers. The picture has changed for them. The young lawyer today when he gets into the practice of law has served you and me in military service. He has married and he maybe has one or two or three children, and then we take him out and throw him into the water, and say, "Now, you can sink or swim. This is a competitive market, and there's nothing here to help you." Now, we must help those people, and the way to help them is by the adoption of a statewide advisory schedule of fees, with teeth in it, to see that it is lived up to and adhered to, and to see that the fellows in the profession who are cutting fees or who don't know how to operate a business, don't know what it costs to operate, that they do maintain a level that permits the young lawyer to live, and live respectably.

If I can just get this idea across to you that this is a national millstone around the neck of the legal profession! I have had people tell me—young men—that they wouldn't consider the practice of law because it stinks financially, and it does. And you and I are the ones that are to blame for it. We don't know how to operate our business. We are not charging enough above cost. Many of the jobs that are done in a lawyer's

office today, if the lawyer would sit down and really figure his cost he would find out he was doing the work for less than cost. Is there one lawyer in ten in this room today who can tell me honestly how much it costs you to write a half-page letter? I'll bet there isn't, but your secretary can tell you how much it cost, if you are paying her from $1.75 to $2.50 an hour.

The cost of operation has increased for both the medical profession and the legal profession. We are still doing business in the same towns where the rent increases have been exactly the same percent for both of us, but the medical profession has increased its income tremendously. One thing that the American Medical Association has which we do not have is a Bureau of Economic Research with headquarters in Chicago, Illinois. A doctor of philosophy heads the institution. He has a tremendous staff, highly skilled, and, need I add, highly paid. And they keep the medical profession informed not only from month to month, but you might say from day to day concerning increasing costs, new methods of operation, new methods and ways of doing things to decrease costs and to increase income. The American Bar Association needs to bring something of that type to the American lawyer, and I will say this, that by the grace of God and with the help of men like Smythe Gambrell, it is about to take place, because without an increase in the membership in the American Bar Association such a program could not be carried forward. It takes members. It takes money. It takes dues.

The lawyer today, for the most part, is still operating as an individual. He is considering himself as a one-man organization. He is not charging for his office. He isn't charging for his library and for the modern appliances that he needs in the operation of his business. We are looking at our modern law offices as though they were peanut stands. We can't do that. But you as an individual, I don't say that you are to blame. The bar associations, on the state and the national levels, are to blame because we are not doing these things to help each other and to help ourselves.

The legislature is not going to help you. This one is just inserted for laughs. In Minnesota in 1905 the legislature passed a law allowing twenty dollars per day for special counsel employed by the attorney general in criminal proceedings, and that law remains the same today.

These are the incomes of lawyers in America on the basis of age. There are two and eight-tenths per cent of the profession from twenty-five to twenty-nine years of age, and their average net before taxes in 1951 was $3,737. Now, it increases gradually until the lawyer gets to the ages of fifty to fifty-four years. In that group we have nine and three-tenths

per cent of the profession. The average net is $8,034, and then notice the very decided drop-off after that, on the average. The moral: "He who seeks to build up fortune in later years by cutting fees when in his prime may find it necessary to live on frugal diet when old."

This is a similar chart based upon the number of years engaged in the practice of law, and there you will note again that after the young attorney has practiced law for twenty-nine years his income takes a very sudden and decided drop. So you young attorneys, don't be kidding yourselves, and don't look forward to that rosy day when you have practised law for twenty-five or thirty years and you can sit back in a rocking chair and the money will roll in, because it won't. It's going to stop rolling in. You've got to get in there and pitch and get your fees up now.

I said at the outset that in Minnesota we found that it cost about as much to operate in villages as in large cities. This chart, I think, bears that out. This is a report of the income of lawyers nationally in communities according to size, and you will notice that as the city gets larger the income, the average net income, increases substantially. Now, that would not be true if it was an unquestionable fact that the cost of operation is so much higher in the large cities. I do think that in some cases it is larger, and that the larger-city lawyer charges a larger fee, but that isn't the fault of the large city lawyer. I am pointing out to you it is the fault of the small town lawyer for kidding himself into trying to believe it costs less to operate in a village. It does not. The highest income bracket is in cities of one million and over where supposedly the costs are the highest.

This is an interesting chart. As the size of the firm increases, the average individual income of the members increases very, very markedly. The lawyer who is bringing down the average national level is the individual lawyer, the lawyer who is practicing alone. He makes up seventy-three and six-tenths per cent of our profession. One-man offices make up eighty-seven and eight-tenths per cent of the law offices in America. Their average annual net before taxes, $3,063.34.

Now, stop and consider that just a minute. Now, let's go over that again, shall we? Seventy-three and six-tenths per cent of the lawyers in America making up eighty-seven and eight-tenths per cent of our law offices in 1951 only averaged $3,063.35 net before taxes. A self-respecting bricklayer, carpenter, plumber, plasterer, lather, cement worker or steel worker wouldn't work for that kind of money. And yet we as a profession permit the situation to exist. Did I tell you at the outset that if we didn't watch our p's and q's eventually the brains of this country would be shying away from the individual practice of law? I meant it. This

bears it out. The lawyer who is making real money is the one who is bonded together with partners, for their income goes up decidedly.

These are the individual net incomes, now, of individual members of the firm. In a nine-man set-up, the average there for an individual partner, $29,970. These figues do not include the associates, only the partners. We don't have time to go into the reasons, but there are reasons for those figures, but one of the reasons is that they are better advised, and that they know what it costs to operate.

Here we see the incomes of 1935 to 1939. Taking that as a hundred per cent, the average United States dentist, $2,812. In 1951 his income went to $7,722, or an increase of two hundred and seventy-five per cent. In the same period of time the doctors went from $4,101 to $12,798, an increase of three hundred and twelve per cent, whereas in the legal profession we went from $4,263 to $8,933, or two hundred and five per cent only—in Minnesota only one hundred and thirty-three and a half per cent. The picture in Minnesota has changed since 1951, believe me. It has changed a great deal by the adoption of a statewide advisory fee schedule. There are over a thousand in use in Minnesota law offices today.

I think that there is a relationship between what a man is going to pay to belong to an organization which backs him and the benefits he reaps from that organization. The Minnesota State Bar Association dues are thirty dollars per year. We have a voluntary association; ninety-five per cent of the lawyers in the state belong to it. We have a membership of three thousand. We tried unsuccessfully a year ago to get that raised to fifty dollars. Now, that may sound like a lot of money. It isn't. We are getting ten times that, ten dollars for every one we pay in, and then some. Your bar association cannot do you a job unless they have money with which to operate. They must have help, and they must have talented help, and plenty of it. It's the best investment you can make. It's your dollars and cents backing up of the organization which you want to help you, and it is going to help you if you furnish it with the wherewithal.

President Satterfield then introduced Mr. Paul Carrington of Dallas, Texas, who delivered the following address.

PROFESSIONALLY ALERT

Paul Carrington

Some eight years ago I served as chairman of a committee of our state bar that sent out a questionnaire to see what the situation then was in the

practice of law in Texas, as far as we could find by questioning various lawyers. Of course, you would know the answer in the first place, that most of the questionnaires were not answered. That has happened in state after state. The latest experience within my observation is one that has come to my desk in the last few days from Iowa of the Iowa questionnaire sent out by an official commission authorized by the legislature and a very high percentage of the questionnaires were answered in Iowa—forty percent. Now, if the lawyers really understood the importance of this subject, if the lawyers really understood how we must analyze the facts before any of us can know what the situation really is, there would not be that sort of apathy among the lawyers of Texas or Iowa, or, as I believe, every other state of America.

In Texas we found that though we have a reputation in our state of being independently minded, we have a larger percentage of lawyers engaged in business with partners than the national average. And yet, when we have said that, we have not said anything at all, for the reason that out of all of the states of the Union there were four, and only four, that had as many as thirty-five per cent of the lawyers practicing in offices where there was more than one in charge of the office. Seventy-three per cent of the lawyers of America that are not salaried are solo practitioners. That was true in 1951. The four states may be a bit of a surprise to you. I would have guessed that New York, Illinois, Pennsylvania or states like that would have been the states where you had the largest percentage of people that were not practicing solo. Now, of the four states where you have the largest number of people in the practice of law percentage-wise not practicing solo, Iowa is first—and that is the point I want to come back to in a few moments because that is an exception which proves how unreliable all our figures are and will be until the profession gets organized and we get all our figures together and can analyze them more accurately. As yet it has been impossible. Iowa has the largest percent, then Louisiana, Arizona and Kansas.

Iowa is at the bottom of the list, as Mr. Bang has demonstrated to you, where the lawyers on an average are making less dollars at the end of the year net than in other states, and yet it is an exception to the rule, because I want to have you bear in mind the tabulation that Mr. Bang presented to you dramatically: the national average demonstrates that as you have more partners your prospects appear on an average to be better.

I want to warn you against taking all of the figures that we give on averages as a complete answer applicable to yourself. It is not likely that each of you will go out into the lobby and find a couple of fellows that you can join this afternoon and thereby triple your income. Of

course, there has to be a careful analysis made of the local situation and of the situation of each of the individuals involved, and yet the major point that I want to make here is that, Iowa statistics to the contrary notwithstanding, it makes sense to have a partner or partners.

The figures that were given to you a moment ago include figures as to some firms of nine or more. The big city firms are included in that group. The $27,000 figure is an average including all of them. One and three-tenths per cent of the non-salaried lawyers of America are in that group. Six and eight-tenths per cent of the non-salaried lawyers of America are in firms where there are four or more partners, so that of all of the practicing lawyers, non-salaried, in America, ninety-three and two-tenths per cent are in firms of three partners or less, or are practicing solo.

Those are the same things that Mr. Bang gave you a moment ago, with a different addition to emphasize the point that when we are talking about partners we are usually talking about a partnership of two or three, and not about a partnership of twenty or thirty.

Now, there are lots of reasons why it makes sense for a lawyer to have a partner, and I would like to talk about them for a few minutes. Of course, it is self-evident that in any business, in any enterprise, in any profession even more than in business, two heads are better than one.

Of course, it makes sense that when you have a solo practitioner and he goes off on a vacation, nothing is going on. Or if he goes to a bar convention, or if he is sick, or if he goes to a funeral, or a ball game. There are a thousand interruptions quite appropriate in the life of a lawyer that the client who wants something done and done when he wants it does not appreciate.

The possibilities of dovetailing absences from the office if you have an office of two and thereby pleasing the clientele better than a man practicing alone can possibly do are possibilities that are ignored nationwide by the legal profession.

The legal profession generally is thought of by the clients of America as people who are rather dilatory, who will do something when they themselves want to do it, not when the client wants it done, and cannot be hurried, and always have an excuse why it can't be done when the client insists that it must be. Is that a fair statement?

A solo practitioner can't avoid that. A solo practitioner, if he has just two clients, is going to find that one of them didn't want anything for a week and then came in and had to have it in the next twenty-four hours, and that's the twenty-four hours he's got to serve the other one.

You are not going to eliminate that by having one partner. Of course, we all know that, but the *chance* of dovetailing, the *chance* of working in together, tremendously increases the effectiveness and the promptness of the service rendered to the client.

It's more important than that. It's more important than the problem that there must be two heads if the question is new because the law has gotten so complicated, so technical, so difficult for any one man to understand in its various ramifications that a man who is dependent only on his own experience and his own opportunity to look it up in the books has a great handicap as compared with others.

Again, it is a matter of degree. Again, it is a matter of differences as to the kind of business and the types of questions that the clients have. Again, it depends in part upon where a man is practicing, and many other things, but the problem is there, and it is there even for the man with the simplest practice. In my judgment it is more important than these other matters that I have mentioned, because a man who seldom has any problems in one particular field, and who then accepts an employment where it is necessary for him to go to the books and find out all the answers, has to do a great deal of pioneering work on that first employment which a man who has had a lot of experience in that particular field already has done.

This is increasingly a day in the legal profession where it is desirable for there to be a division of labor inside a law office so that as nearly as possible the members of the firm can have the benefit of the repetitive experience of the man who does the work. Promptness in service to the client, ability to compete in serving the client, ability to make a profit when you do serve the client well are all by-products of what I say. And therefore, experience of Iowa nonetheless, pointing to the national averages, it is clear that the lawyer who is in a two-man partnership does better financially than a solo practitioner.

Now, that isn't true solely of the lawyers. That's true of our friends in the medical profession. The average figures in the medical profession were given to you in the tabulation that you saw on the screen a bit ago. For that same year, the national average of the physicians of America not on a salary shows that six-sevenths of them were practicing solo and their national average was $10,895 net income, and one-seventh of them had one or more partners and their average was $17,772. The same figures apply for the medical profession and the legal profession also on national figures as given in Canada.

In other words, it makes sense from the standpoint of the service rendered, and it makes sense from the standpoint of dollar income, for

many of the solo practitioners of America to look around and find the proper partner for the practice of law.

If there is any one thing wrong with the legal profession as it is practiced in America today—I am not alone in this view, many of us think there are lots of other things that can be pointed to—the worst thing of all is that seventy-odd per cent of the lawyers of America undertake to do it all, each man for himself and the devil take the hindmost, and there is a lot of hindmost as a result of that system.

A good many people that have contemplated partnership have assumed on the face of it that they must have a fifty-fifty partnership or it cannot work. If anyone who has that impression will stop and think of how a partnership of four or five works and debate in his own mind as to their ages and experience and what their probable division is, on the face of it his assumption would be very inept. There are lots of ways in which the income produced, on a rough average or on an exact average, depending on how much time and effort you want to put into making your figures exact, can be divided between two partners or three or four in the light of what is actually performed. One way is to have a drawing account, let all else stay in the pot, and then make your figures and see who earned the money and divide it accordingly. Lots of offices are like that. You can have an agreement based on how income ought to have been divided last year apply during the current year, and let the experience of the current year determine your percentages for the next year. I don't see any particular reason why the reaction ought to be a year delayed, but there are a lot of law offices like that.

Most of the smaller partnerships in America seem to be based on guesswork on what each man is worth. I would like to advocate that you consider for your own office the possibility of reducing the roughness of that guesswork, and as a first step to that I would like to advocate that as a matter of daily routine, routine on which there shall be no exception whatsoever, every lawyer in the office records how he devotes his time. If there is any one thing in American lawyers' charging that is criminal it is that he charges without knowing what he spent in time and effort on which he based his charge.

I am saying that of the profession generally. In our survey in Texas in 1949 we found that there were only seven firms that had as many as five lawyers in them that had any time records as to how those lawyers were operating. That isn't true today, but there are still many law firms and I am sure most solo practitioners who have no possible basis of knowledge as to where their time went except memory.

Now, I would like to say that from my own personal experience I

hated—until it got to be a habit—the routine of having to make a record of what I did every day, and I would like to say that when we began making that record and then analyzing by monthly summaries, I was amazed at how much of my time I was devoting to little matters of just a few minutes for this client and that one and another one that it never occurred to me to charge.

One of the benefits of a complete record of what my time went for was that when I got a monthly summary I then saw that John Jones called me on a certain day and I advised him. Now, John Jones might be a young man who I would not want to charge much, but, nonetheless, it was important to him that he consult a lawyer. He debated it some whether he ought to incur the expense before he phoned me. John Jones, when I give him advice and then ignore it, will resent the implication that his coming to me for advice was meaningless as far as I was concerned. I am not talking about how much it ought to be, I am saying that in every case where the client asks for service on a pay basis, let's not make exceptions because it is trival. That is poor public relations. From the standpoint of the client himself, he resents it.

When I began analyzing my summaries and I found that I ought to charge a lot of small fees that I had been ignoring, I began feeling a little bit better about making a complete record, because I was overlooking so many things. Of far greater importance was the fact that I found by my personal experience—and many men have had the same experience—that when I got through with a matter that took me a month or two months—a day now and a day then—I began guessing at it, and I always underestimated the time that I devoted to it.

A record will prevent your making a guess against yourself. Therefore, regardless of whether you are charging on a time basis or time and other things—and, of course, it ought not to be on a flat time basis—the first thing that a lawyer ought to have in mind when he is considering what charge should be made for a service already rendered is how much the service cost. If he has an exact or even an approximate figure on what his time cost on the average, including all overhead, then he has got a minimum figure in mind, and he would expect to charge that or more, depending on circumstances; of course, occasionally less, depending on circumstances.

The time record is also important if you have two men in the office, because the man that makes the charge doesn't know about the service that the other fellow rendered, and it is even more important if you have three or four men in the office. Absolutely necessary in the conduct of an intelligent business operation in any law office is the mandatory complete record day by day of what the time was devoted to.

If the time record is kept, then it is simply a matter of degree as to how much you want to analyze it. All these analyses can be done by a smart girl, of course, once she is told how. It is easy to calculate once you have a record of how much time was devoted for each client, how much each client paid on an average, and for whose time. You can then see the clients in your office were handled fairly among themselves according to your own judgment in the light of the way you have been charging. You would be amazed the first time you ever made that analysis how differently clients are treated without your realizing it and without other circumstances justifying it when you stop and think it through. Good old George never did have the heart to charge the fees he ought to have charged in our office, and yet if one fellow that George served compared notes with a fellow I charged for about the same service, which one of the two clients was pleased and which displeased? In other words, it tends to do just what Mr. Bang has been urging you so eloquently to do. Inside your own office you need a partner, but you need a check on that partner and above all you need his check on yourself.

My disposition always has been when I am asked what my partner ought to charge to name apparently subconsciously a larger fee than if I were talking about a client that had come to me. I've got a weakness for those folks, apparently, and most of us do have. My clients are charged more on an average in my office because I now have learned first to make a complete record of what I and everybody else in the office has done for them, and secondly because I have a chance—we have arranged it in our office to make sure I have that chance—to have someone check me on my fees to my clients. I will have the final say, but I can listen to them, and I do, and I don't let my weakness for these folks that come in to me result in unfairness to my partners or to my children.

Now, there is a lot of literature about the sort of records that you ought to keep, and I am not going into that. I would like just briefly to refer those of you who are not familiar with that literature to where you can get very excellent advice on the sort of records that it is worth while to keep in the sort of office I am talking about.

First, I would like to call your attention to a very fine pamphlet published by the American Law Institute on personal and business conduct in the practice of law. The name of this pamphlet is *On Law Office Management.* It was written by Francis Price, who is a partner in a firm of, I believe, four partners in a small town in California, and can be purchased from the American Law Institute, 133 South Thirty-Sixth Street, Philadelphia, Pennsylvania, for two dollars. Mr. Price and I have appeared on panel discussions on numerous occasions. In his pamphlet he has an analysis of all sorts of forms and how they are used. Frankly,

some of them are too complicated for me, but I am delighted to recommend that you consider every one of them and decide which ones you want and which ones you don't, and how you can simplify them. We don't all have to have office details operated in the same way, provided the methods we use make sense and get us the information that we need so badly.

There are some books on the subject. One of the best is one of the earliest which was entirely rewritten this year—McCarty, *Law Office Management,* 1955 edition, published by Prentice-Hall. There is a review of it, I believe, in the June issue of the *American Bar Association Journal.*

As to the kind of articles of partnership that you can have, there are many alternatives. The original document that meant more to me than any other I ever read was by Reginald Heber Smith, in the *American Bar Association Journal* in 1940. It has been reprinted numerous times, and you can get a copy of the current reprint from the *American Bar Association Journal* for fifty cents. In the issue to be published next month of *The Business Lawyer,* a publication of the section of the American Bar in which I have an interest, there is an excellent discussion of articles of agreement for the conduct of a partnership for professional service with forms and comments applicable to lawyers or doctors or architects or any other kinds of professional service. There are many other articles that you'll find if you will check the indices of the *American Bar Association Journal.*

Instead of going into detail as to particular kinds of articles of partnership that are desirable, I prefer to place before you simply two generalizations that I have talked about here at a great deal of length. One, let's know the facts in our own office, whether it is a one-man office or more than one. The foundation of all the other facts is where the time was devoted in the rendition of legal service—a daily time sheet showing every service rendered by every man in the office. Now, after you have got that, the rest of it is so self-evident that you will be able with this literature to make any or many uses of that set of facts. And the other thing that I want to emphasize and have emphasized, I fear, inadequately, is that the solo practitioner is at a disadvantage and that if it is possible for him to find a partner with whom he can work happily, and in whom he has complete confidence—of course, confidence professionally as well as morally and in every other way is necessary—he will find that there are many advantages in partnership. The ideal partnership as I would see it would be a partnership including a man twenty-five, just come into the office, just beginning his climb up that ladder of income; a man fifteen years older, in his prime or approaching it; and a man fifteen years older,

who is beginning to step down the ladder, but who has many hours of valuable service that he can give, especially to the younger men in the office, because of his rich experience.

Career planning is possible if a partnership arrangement can be planned through the years ahead. Career planning is possible, not only for the young man coming into an office, but even more important for the man in his declining years who wishes to render dignified, important and valuable services within his physical capacity and yet live the sort of a life that he wants to live, not overdoing, but leaving for others in the office the chores for day to day dealing with the many problems that clients bring you.

We haven't even thought in our profession of career planning. Let's do so.

Mr. Joe H. Daniel of Jackson, Chairman of the Committee on Revision of State Bar Act and By-Laws, moved the adoption of Item Seven of the committee's report. The motion was seconded and carried. This completed the Convention's action on this committee report.

Mr. M. M. Roberts of Hattiesburg presented the Report of the Complaint Commissioner. No action on this report was necessary.

Mr. Breed O. Mounger of Tylertown, Chairman of the Committee on Professional Fees, presented that committee's report. At the request of Mr. Dixon L. Pyles of Jackson, the Chairman moved that the Mississippi State Bar Association approve the committee's report as a suggested basis of fee computation, subject to continued study and further action of the Association from time to time, and urge all members of the Association to abide by the suggestions made in the report. The motion was seconded. Mr. Yerger Morehead of Greenwood moved to amend the report by changing the suggested fee for foreclosing a deed of trust from seventy-five dollars to one hundred dollars. Judge Lester Clark of Hattiesburg's motion to table Mr. Morehead's motion was carried. Thereupon, the Chairman's original motion was carried.

On motion of Mr. Merle F. Palmer of Pascagoula, the meeting was then adjourned until 9:00 A.M., June 23, 1956, in remembrance of the late Judge Jesse H. Graham of Meridian.

The annual banquet was held at 8:00 P.M. on Friday, June 22, in the Hotel Edwards. Mr. John Ben Shepperd, Attorney General of Texas, delivered the following address:

QUO VADIS, PIPS?

John Ben Shepperd

I want to talk to you a few minutes about the most important issue

now facing the people of the United States—the integrity and stability of the law.

There is an eternal conflict between what is lawful and what some believe to be socially expedient or morally right. And because judges are human, it is natural that they should sometimes open a statute book and wishfully arrive at an interpretation that was never intended.

When this happens, whether the error is intentional or not, government by law is replaced with government by men. When a politically-minded or socially-motivated judge has tried one important case, the country has had a revolution.

Few thinking men and women today would deny that revolutionary changes are taking place in our national life. This generation, which knows the source of atomic power and the secrets of interplanetary travel, does not know the location of its own government. For this nation, of all nations, is the only one in which the location of governmental sovereignty is in dispute.

Under the "Pips" doctrine of the U. S. Supreme Court—paramount rights, interpretation, pre-emption and supersession—the rights and powers of state and local governments are being liquidated and piped into the giant reservoir of federal supremacy.

I don't need to rehearse for you the decision in the recent *Nelson* case, which struck down the sedition laws of forty-two states and two territories; or the *Hanson* case from Nebraska, in which the right-to-work laws of eighteen states including Mississippi were smashed, at least in the railroad field; or the decision in *F.P.C. v. Oregon* which extended the doctrine of paramount rights beyond the coastal and navigable waters of the states to include every little trickling creek on which the Federal Government happens to own a little frontage.

I don't have to remind you of the recent *Slochower* decision, which denied local governments the right to protect themselves against Communists on the public payroll; or the *Phillips* decision, which ignored a clearly-stated intention of Congress in order to clamp a federal grip on the natural resources of the states; or the ruling in *Castle v. Hayes* affecting the right of the states to control their own highways; or dozens of other decisions which have pushed the states out of just about every other field we could mention.

The principles comprising the Pips doctrine are, for the most part, valid in law. It is the grotesque exaggeration that is destroying the stability and integrity of our Constitution.

The most poignant decree to come from the Court in recent years was the segregation decision of 1954.

It is unfortunate that this appalling departure from the most elementary constitutional principles and basic legal concepts occurred in a field where the people of this country are divided on moral grounds. There are good people on both sides of the segregation question, acting in good conscience.

But the Supreme Court decree was so revolutionary that the people were impelled to take sides on the end result before it was realized by what dubious means the integration order was brought about.

The means used to compel integration was a simple legislation by the court—rewriting the Constitution, in order to invade an area of law clearly reserved to the states in the federal compact, and to effect a change that was in no sense legally obtainable except by constitutional amendment.

Private interests and minority groups are now looking to the courts to gain their ends instead of looking to the legislative bodies established for that purpose. Utilitarianism is being substituted for constitutional law, with the philosophy, "If the method works, use it. The law is unimportant."

I believe the people of the United States will soon come to the full realization that in trying to stretch the Constitution, the Supreme Court has torn it apart, and that the aim of those who would centralize governmental power in Washington is not merely to erase the Mason-Dixon Line, but all state lines as well. The pattern could not be clearer if there were a pre-conceived plan at the bottom of it.

The people of the United States have been divided on many things, but there has been no division in the belief that the end never justifies the means.

Our immediate concern is what we can do about it. We should give thought to the basic question, "Does the Supreme Court have the final word?" The Constitution contains no provision saying that the Federal Government is to be the final judge of the extent of its own powers.

There is a great deal that lawyers can do. We have a greater responsibility than lay citizens. The legislature of the states are dominated by members of the legal profession. In Texas, the great majority of our one hundred ninety-eight state boards and agencies are headed or policy-guided by attorneys. I'm sure that is true in other states. The branches of the Federal Government are literally loaded with lawyers. The per-

centage of attorneys in the Seventy-First to Eighty-First Congresses averaged sixty-one and eight-tenths. If the legal profession were represented in proportion to its numbers, it would have *only one member in each house of Congress.*

Most people do not seem to realize that Congress actually has broad control over the Supreme Court. It can limit the matters within the Court's appellate jurisdiction; can lay down rules for interpreting federal law, just as it makes the laws themselves; and can correct the Court's decisions by appropriate legislation.

Congress is currently pretty busy correcting a number of Supreme Court decisions. The Budge, Barrett and Neuberger bills are aimed at rectifying the ruling in *F.P.C. v. Oregon*; the Bridges bill (S.B. 3617), co-sponsored by Senator John Stennis, and at least three similar bills have been introduced to correct the *Nelson* decision; inherent dangers in the *Hanson* ruling would be removed by the Goldwater bill (S.B. 3) and a bill by Senator Holland of Florida (S.B. 527), which would prohibit the pre-emption of state police powers in the labor field.

A number of bills have been introduced to rectify the segregation decision either by removing public education from the appellate jurisdiction of the Court or by clarifying that separate and equal facilities satisfy the fourteenth amendment; and a dozen or more bills are pending which would correct the ruling in the *Phillips* case.

Senator James Eastland of Mississippi is sponsoring Senate Joint Resolution 127, aimed at preventing further federal interference with state authority to regulate internal state affairs.

Many bills have been introduced affecting the judiciary itself. Again, your own Senator John Stennis is sponsoring a bill to require that at least half the justices of the Supreme Court have ten years prior experience on the bench. There are other such bills, bills to limit the term of office of Supreme Court justices, and still others to set up a system to provide a full Court for every decision.

On a broader plane, Mississippi's Representative William Colmer is sponsoring a bill to establish positive rules of construction under which the Supreme Court could not infer pre-emption unless Congress has clearly stated its intention to supersede state law. This measure has gained widest attention as H.R. 3 by Representative Howard Smith of Virginia, to which the Colmer bill is identical. The Senate version of this bill, by Senator McClellan of Arkansas, is co-sponsored by both senators from Mississippi, and was recently reported favorably out of the Senate Judiciary Committee.

If something is not done to halt the march of federal encroachment, I don't believe it will be the fault of the Mississippi delegation, nor of the Southern delegations in general. And it certainly won't be the fault of the states that have interposed their sovereignty to protect the people and their constitutional rights.

Recently I spoke of these things in Los Angeles, California, and the speaker who followed me—a Californian—said: "Thank Heaven for the South. They've been standing guard while the rest of the country slept."

My attitude, and I believe that of most Southern lawyers, was pretty well stated by Senator Barry Goldwater of Arizona, who said: "I do not criticize the Supreme Court. I think we in the Senate and *all other Americans,* however, have a perfect right—in fact, a duty—to be apprehensive about any branch of the Government when we feel it is infringing on the rights of the states."

But it isn't enough for Congress to go on rectifying the decisions of the Court. It isn't enough that a few lawyers in public office are introducing bills and filing suits. The tens of thousands of practicing attorneys in this country cannot shrug the issue off. We are members of the legal profession, just like the justices of the Supreme Court and, as lawyers, we are not without responsibility for every decision handed down. As plain, ordinary citizens we are the accountable custodians of our government and all its branches.

Please don't think for a minute that I am excluding you ladies from these remarks. I sometimes think that women should bear the primary responsibility for the kind of men who get into office and lead our state and national affairs.

Any woman who knows how to can a jar of pickles and hold it up to the light to see if it is leaking air and is going to spoil in a few months can do the same to a politician.

Any woman who can keep an eye on the mix-master, the stove, the ironing board, the television set and the kids in the yard, and listen to the radio and talk to a neighbor over the fence at the same time, can certainly keep up with public affairs.

If you've ever seen a woman trying to persuade her husband to buy a new car, you've seen a master lobbyist at work; and if you've ever seen a lawyer's wife on the telephone, you've seen a filibuster.

It isn't easy to run a household on the rules of evidence and procedure, submit a brief every time you want a new dress, be diplomatic to the wives of the senior partners in the firm, and give up everything you want in order to buy law books. A lawyer's wife has it pretty tough.

But the worst thing she has to contend with is her husband's "legal mind." The legal mind is simply a propensity for looking at everything—the new hair-do, the breakfast biscuits, and even the baby—from the standpoint of whether or not it will stand up in court. It's a horrible thing to live with.

They say no legal argument ever stood up in court that wasn't first sanctioned by a lawyer's wife as he recited it in front of the bedroom mirror. The same is true of court decisions—none ever stood up for long that were not sanctioned by lawyers in general, either in the same or the next generation. If constitutional government is allowed to die, it will be because the oldtime lawyers, with their ideals, traditions, and firm adherence to sound legal concepts are allowed to die out in our generation.

I often wonder how well we measure up to the lawyers of the past, and whether we share equally the responsibility for the unfortunate opinion the public seems to have for the legal profession, as shown by various polls conducted in Iowa, Michigan, Texas, California and other states. In these polls, as well as in a study recently released by the University of Chicago, attorneys ranked low in prestige; and in estimated contributions to society, we were listed at the very bottom, under eight other professions.

While this opinion prevails, is it any wonder the public pays little attention, no matter how loudly we shout against the present trend in federal-state relations? Is it any wonder that a Congress full of lawyers can raise a cry against a decision of the court, or sign a Southern Declaration of Rights, and leave most of the country yawning with unconcern?

Too much of the public believes what it has heard about lawyers. A legislative body composed of attorneys, they say, never plugs a loophole in a law, because it's the loopholes that give lawyers a living. In making a new law, they say, attorney-legislators will always leave a door ajar in it somewhere, to assure the success of their future practice. And they say the reason why every court docket in the country is overcrowded, is that lawyers practice the old axiom, "Long litigation means long fees." I wonder, sometimes if the public is entirely wrong.

Am I only a nostalgic dreamer, or wasn't there a day when a man laid his problem before a lawyer, and the lawyer said, "You don't have to go to court with this"? Wasn't there a time when a client walked into the office of an old-time attorney and got action without a fee being discussed first? Did you ever know one of those lawyers who, without stopping to check the minimum fee schedule, picked up his hat and said "Let's go"?

Yes—there *was* a generation of lawyers who got a gleam in their eye when they talked about the law, instead of about their rich clients.

When I was a barefoot boy in a small town, that's the kind of lawyer I wanted to be. There were no lawyers in my family. Nobody talked me into being one. Nobody told me it was lucrative—and sure enough, it wasn't. But somebody, sometime, caught my mind's eye with the idea that our Democracy is and ought to be a government by law, and not a government by men.

I used to read of Daniel Webster fighting injustice and dedicating his life to the cause of freedom through constitutional law; I heard of statesmen expounding from a law book the vast, imponderable principles that moved armies to clash on battlefields; and I read of Justice Holmes dissenting time and again to the point of looking ridiculous, unwilling to prostitute the law or compromise his integrity as a jurist. And I am not ashamed that I went through law school on a shoestring, a prayer, and the hope that I too might serve my fellow men.

Our country is badly in need of old-time lawyers—the kind who will follow their conscience instead of the crowd, and the precedent instead of the party, and who won't submerge a principle to win a point. We need lawyers who won't sacrifice a dot or a dash in the Constitution to get a dollar sign on the ledger.

We have nothing to fear from the men on the bench, on the floor of Congress, or in the soft leather chairs of the federal bureaus, if we make sure that the men and women of the bar get to the top by growing instead of climbing, and rise high by staying on the level. We need attorneys who believe it is better to be a good lawyer than a clever one, and who feel better after losing on the right side than they do after winning on the wrong one.

We need lawyers who have a proper respect for the members of the court, *as* a court, but who will not hesitate as citizens to call any branch of their own government to account, judicial or otherwise. Freedom dies of cold feet when the custodians of the law are afraid to get into hot water.

At this epochal period in our history, I am thankful for the many members of the legal profession who still realize that the Constitution of the United States was established to secure for the people those priceless intangibles that are not subject to Paramount right, perverted Interpretation, Pre-emption and Supersession.

Can any man open a law book and establish his exclusive title to a sunset on the Mississippi? Can anyone secure or perpetuate by litigation

the look of trust and innocence in his child's eyes? No man can go before a court of law and be guaranteed the companionship of a true friend, or the love and devotion of a faithful wife. And there is no court so high that it can fabricate by decree the sound of a mother's lullaby or the laughter of a free man.

Yet all these things and a thousand more are comprehended in the spirit of that timeless document whose Preamble ambitiously purports to "secure the blessings of liberty to ourselves and our posterity."

The Constitution is not only a body of law, but a spirit of law as well; and if we have learned nothing else in one hundred eighty years of self-government, we should have learned that:

Freedom is old, not young, yet it is born anew in the first cry of a free man's son;

It is not a living thing, yet it dies if we do not love it;

It is not weak, yet it must be defended;

It is light, yet it weighs heavy on him who is without it;

It is without price, yet it dearly costs the one who sells it;

It is not small, but great; yet once lost, it is never found again.

SATURDAY, JUNE 23, 9:00 A.M.

The Convention was called to order by President Satterfield, who then acknowledged the filing of the Report of the Water Resources Committee, Mr. Herman Glazier of Rolling Fork, Chairman. No action on the report was necessary.

Mr. Joshua M. Morse, III, of Poplarville, Chairman of the Committee on Mississippi Law Institute, presented the committee's report, and moved the approval of the report in principle. After discussion, the motion was carried.

Mrs. Betty B. Tucker of Jackson, Chairman of the Committee Upon Coordination of Activities of the Mississippi State Bar with the American Bar Association and Local and District Associations, presented that committee's report. Upon motion and second, the report was adopted.

The Report of the Committee on Maintenance of Constitutional Rights of States and Individuals was presented by Mr. Hugh N. Clayton of New Albany, Chairman. Upon motion and second, the report was unanimously adopted. Mr. Clayton then moved that the Bar authorize the incoming officers and commissioners to present the position of the Bar on the maintenance of constitutional rights of states and individuals at such times and in such manner as they might deem appropriate during the ensuing year. The motion was seconded and carried.

Mr. Gibson B. Witherspoon of Meridian, Chairman, presented the Report on the American Bar Association Membership Campaign.

President Satterfield then introduced Mr. E. Smythe Gambrell of Atlanta, Georgia, President of the American Bar Association, who delivered the following address: [EDITOR'S NOTE: Mr. Gambrell did not indicate the subject of his address. The title given was supplied by the Editor solely for the purpose of identification.]

ADDRESS OF THE PRESIDENT OF THE AMERICAN BAR ASSOCIATION

E. Smythe Gambrell

It's fitting and proper that this Association and all other state associations at least once a year get together and consider ways and means of keeping law abreast of the rapid developments that are taking place around us. Whether common law or civil law or in whatever land, we lawyers serve as one great priesthood in the common cause of justice, and ours is the happy privilege of calling men everywhere to worship at the shrine of liberty under law.

In this country we take pride in the belief that ours is a government of laws and not of men, and that those who wield temporal power are themselves governed by law. Here in this country the fervent love of liberty is in the heart of every man and the human soul is respected above all else. Here all stand equal before the law and no one is above it. In America we rest our government upon the consent of the governed; we recognize a numerical majority as the organ and expression of that consent; but we resolutely refuse to accept the voice of the people as the omnipotent voice of God. Over against the greed, or malice, or ignorance or unwisdom of the majority, we raise a barrier of constitutional right that it dare not cross and behind which men's liberties are to remain as secure from the tyranny of the crowd as from the tyranny of a king.

In a democracy the lawyers are the natural leaders from whom and whose conduct the attitude of the community toward the law ought largely to be derived. The prestige and authority of law at any particular time is very much what the lawyers make it. There are many tasks and opportunities to challenge the lawyers of today, and it is clear that if the lawyers do not direct the course of legal development, others, perhaps less competent, will. Lawyers should be stirred by an enlightened self-interest, for the people will neither patronize nor endure a system of justice that is tardy, or inefficient, or insincere.

Someone has said that the things we of the several states have in

common are greater than the things which sometimes divide us, and I think it would be more real to say that the things we have in common are those which do divide us—which give us each the right and the power to move on independently, though in general accord. And nothing, I venture to suggest to you, is more truly calculated to keep alive and foster friendship between the people of the various states of this Union than the common love of freedom and the devotion in common to those great principles of impartial justice which are the foundation—the sure foundation—of the Common Law. Democracy, self-government, liberty under the law—these are still the passion of the American people. Property they ardently desire, but freedom they will have; and faith in the constitutional structure under which that freedom has been enjoyed is the deepest force in our national existence.

We at this meeting today, at the Wisconsin meeting yesterday, and other places, as we meet, are the living exhibits of the solidarity of the legal profession in this country. We have come to realize that no lawyer can live in isolation. Belatedly we are becoming aware of the fact that without cooperative enterprise the practitioner lacks an essential ingredient of professional stature, and that only in joint endeavor with his fellows can the lawyer achieve the full scope of his professional function. In large part, the measure of the legal profession's success in discharging its public obligation is the vigor and the effectiveness of its collective units, that is, the local associations, the state associations, and the national association. I say we of the American Bar Association have our function of cooperation, our own function of service, in areas which the state and local associations cannot within their own resources work, but we are all destined to work together, to serve together and to accomplish things together, and it is our feeling in the national organization that we should maintain in full vigor the state and local associations, to most of which are attached some of the most precious traditions of fellowship and service such as we see here today. The active members of the nation's bar associations comprise the aristocracy of the Bar, an aristocracy whose selection is based upon service and achievement in keeping with the highest traditions of our profession. The lofty ideals which motivate us can be furthered only by collective action, co-ordinated and marshaled by a vigorous and all-inclusive national organization.

Now, I was so happy to hear my old friend Gibson Witherspoon tell about the great work that has been done here in this state in developing membership for the national body. About one-third of the states have made their quotas and others are working towards them and most of them are pretty close to quota. It is a matter of pride to me that this great state of Mississippi, sometimes misunderstood in headlines at distant

places, was among the first in this country to achieve its full quota in the A.B.A. membership drive, and that this city of Jackson is one of those great cities which has attained its one hundred per cent membership. Gibson was a little modest about himself. He was the one who led the state and the work within the state, but along with him was Ross Barnett, who single-handedly, I understand, got eighty-two new members in this city alone, and on the junior side we had Charles Henley working, not only in this city, but throughout the state, and there were literally dozens throughout the state whose names I would not have time to mention now who deserve our thanks, and I am happy to tell you there is nothing particularly unique in the drive and activity in this state.

I suppose it is my good fortune to have been called to leadership in a year of grace, in a year when the people were ready to accept leadership. It happens that I have a pretty strong voice, so I put out the message only in crowds, and ten thousand, literally ten thousand, went to work. I don't mean theoretically, I mean went actually to work to do this membership job this year, and in twenty days from February tenth this year we increased our membership in the A.B.A. more than in the preceding twenty years, more in twenty days than in twenty years. Now, that's something to think about. It indicates to me that the legal profession still has hope and still has purpose. When I took office last August I found to my amazement that we had only twenty-four per cent of the lawyers of the country in the American Bar Association. The doctors had eighty-two per cent, and the dentists had eighty-six, I believe, and the osteopaths had seventy-two in their national organizations, and all their dues were higher than ours, so it seemed to me that what I wanted to do, to use a good old southern metaphor, was to get the people in the church. You can't preach to them until you get them inside, so we decided to get them in. Everybody was willing to help, and it has been a glorious experience, but it has meant many exertions. I have stayed up about two nights a week for the last nine months, but I don't want anybody to feel sorry for me, because it's been a glorious experience and a great glory to me, and I am so grateful that the lawyers of this state and other states saw fit to give me the pleasure of serving this year.

It concerns me that seventy-five per cent of the people of this country who need legal services have not been going to lawyers. It concerns me that more and more bureaus and commissions are being set up to circumvent court functions, that arbitration agreements are being entered into that make it unnecessary to hire lawyers and go to court to adjust differences between people. I don't think we can shrug off those facts and say we are still in good shape, and I have talked with the people across the country this year about it. I have talked about Supreme Court de-

cisions in various states, more and more letting laymen get in and do things which traditionally the lawyers always have done. I have talked to the lawyers about it, and I have said that ten centuries ago, in England, the lawyer was recognized as needed by society to perform certain functions that average people could not perform. Over the years in each state there have been statutes enacted to protect the legal profession against lay invasion, but I think too many of us have been prone to be complacent and say we are protected, all we've got to do is to shoot the first man who gets on our domain, run him off.

It's good to have committees on lay encroachment. We want to protect society against impostors, but more basic than that is the necessity for our keeping ourselves in good order, for our being as alert about improving our services, our techniques, our facilities, being as alert as the tradespeople around the community who are constantly looking for new and better ways to do things. We haven't done it because we are protected, and the average tradesman is not protected. I have talked about that, I have been rather caustic about it, but I am happy to say that apparently no one has become embittered against me because I think they know I am talking inside the family, and I am trying to arouse us to rising up to our responsibilities. We have seen, as I say, law business go off to boards and commissions and arbitration arrangements, and we have seen people disinclined to go to lawyers for legal services. Why? I think it's because we have not modernized our services and we have not been as alert as tradespeople about improving the things we do. We have been quick to say that we are a profession, we have been inspired by public service, public interest in what we are doing. If we are superior to the tradesmen, as we readily admit we are, then we ought to be even more alert than tradesmen in improving our techniques and improving our service and rendering better service. We have a duty not only to our clients who pay us, we have a duty in recognition of the exclusive franchise which society has given us, we have a duty of leadership, and if we are not to lead in the improvement of law and in the improvement of legal administration, I ask you who, who in society shall take the lead if it be not lawyers? And yet, in your state, perhaps, and in mine, we still have archaic arrangements about pleading, archaic arrangements in many of our court procedures. Why? Because we live by precedent, and we back up precedent, and we are disinclined to recognize the need for the new day. Not only have we many archaic arrangements, but we even misuse the archaic arrangements which we have. And I am talking about myself. How often have you, how often have I let a client tell us, "Well, I probably owe this money, or I may owe it. He's about to foreclose on me" or something of that sort, "but I ain't ready right now. Could you file a few papers and hold this thing back for about a year and a half or two

years. File a few demurrers. How many times can you run it to the supreme court and back before they ultimately levy on me?" And we too often have been inclined to say "Well, we can do that for at least a year or so."

Now, I submit, we have had committed to us for a thousand years the machinery of justice. We have been given an exclusive franchise and entrusted with leadership, and we are pretty much asleep. We have lost the vision when we allow ourselves not only not to modernize our machinery, but to even misuse the machinery, the old machinery which is in our hands.

I have talked a good deal about that sort of thing, and nobody has gotten mad about it, because they know it's so.

Now, if lawyers were needed ten centuries ago in the simple life of bucolic England at that time, how much more in these complicated days are lawyers needed today? And if lawyers are not being recognized today, and if courts are not being recognized today, it's not because the need is not graver than it was back there, it's because we have been asleep.

Now, behind this great movement in the A.B.A., behind this great meeting here today, behind the great meeting in Madison, Wisconsin, last night, and all over this country is a sudden realization that we are going to be out of business unless we wake up. Society will be the sufferer if the legal profession passes out and Tom, Dick and Harry can do the legal work. Society needs real lawyers, but I say society has the right if lawyers entrusted with the business of the law make a mess of it or refuse to be progressive and go on with their duties, society has the same right to disfranchise us as it had to franchise us ten centuries ago, and I say that we should not be too certain that these statutes which protect us from lay encroachment are going to last forever. Unless we wake up and be as progressive as business people around us are, we are going to find that society one way or another is going to find a way to discard and throw us off, and you will see banks and trust companies, collection agencies, real estate brokers, hired tax accountants and other people taking over, because we have been asleep. Now, I could talk all day, and I have probably taken too much time. Now, I want to talk about something else today, and I am going to have to pass on.

I want to talk a little bit about constitutional government.

Our calling as lawyers was born and nurtured, as I was saying a while ago, in the need for guidance for the processes of social evolution and orderly growth. We know that what's past is prologue, and that there is no end to potential human advancement. Each day marks the end of another page in the eternal story, and the turning of a new page yet un-

written. It is up to us lawyers to keep law and government alert and up to date to serve society as society is entitled to have law serve it, and lawyers serve it.

Today we stand together at the threshold of a great era of unequaled promise, a period of unprecedented opportunity. We are told that within twenty years the population of our country will be two hundred million. We are told that within twenty years the income of this country will be doubled. Before us lie new frontiers in all lines. New sources of energy may make us pretty well the master of our physical environment. New horizons in travel and communications are being revealed. To us is offered, in greater measure than ever before, the glorious hope of a fuller and richer life for ourselves and for those who are to come after us.

And yet there are clouds in the horizon. We have talked about them this morning, you heard about them. I guess they were talking about them here yesterday. Man still has to prove his capacity to control the physical forces which his technology has unleashed. A restive world in bondage must have a share in the blessings of freedom and abundance. More and more it is borne in upon us by current developments that freedom is not well founded unless it is universal; that prosperity is not lasting if it is merely localized or isolated; and that civilization is not real if it is to be enjoyed by only the few.

In my current travels in all parts of our country, I have endeavored to discuss a lot of things, a lot of the problems confronting us and society. The deepest issue of our time, it seems to me, is whether civilized peoples can and will maintain a free society. The matter of deepest concern to me today is the future of human freedom.

In a strife-ridden world, America stands as a beacon for freedom-loving peoples everywhere. For some, the lamps of freedom have never been lighted. For others, for whom the lamp once burned, the light is out. We in this country are the stewards of this freedom. To guard it calls for constant vigil, and we must maintain in this country the example of a successful democracy, where people can live out their lives in freedom of expression and of religion and of opportunity, and if we in this country should fail, we can carry down with us the hopes and yearnings of all mankind.

Alexander Hamilton first sounded our challenge in the Federalist when he said, "It seems to have been reserved for the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force."

The ancient challenge of Hamilton is still with us, for the battle for freedom can never be finally won—it can only be finally lost. Victory today gives us only the chance to fight again tomorrow.

Why is it that the people occupying less than ten percent of the surface of the earth, that only they have had what might be termed adequate food and clothing and all the comforts of a full life? I think the answer is that they are the people who set themselves free—free from physical restraint; free from ignorance and superstition; free from the illusion that rulers had infinite wisdom; free from political doctrines that held men in bondage to governments; free to work out their own destiny with their own minds and their own hands and in their own way, subject only to rules that would prevent them from interfering with the freedom of others. Now, in the process of the emancipation of that portion of humanity, there has been released in society a driving force, an individual initiative, and an aggregate accomplishment previously unknown in the history of mankind.

For three hundred years the American people have cherished the spiritual concept that the rights of man to freedom are personal to him from the Creator, and not from the state. It was written in our Declaration of Independence. This concept has guided us not only to a life of human dignity, but to material abundance.

Now, the great truths of humanity do not spring newborn to each new generation. They emerge from long experience. They are the gathered wisdom of the ages. They are renewed in times of conflict and of danger. In this sense, the current challenge to our political institutions may prove to be a kind of a blessing in disquise. The mystery, the grandeur and tragedy of history is man's surest guide in times of trouble. If the times in which we now live do not bring a fuller understanding of the great traditions of our civilization and a deeper desire to affirm them, I say we are not worthy of our heritage.

Today there are vast uncharted frontiers—physical, spiritual, and intellectual—standing as our constant challenge. We may well lose our will and our ability to cope with these challenges if we develop and accept the habit of being satisfied with the meager crumbs of material security which some form of benevolent government would dole out to us. To the extent that we permit ourselves to be so dependent upon government that we can no longer think or achieve on our own, dependent upon government for those things which traditionally we have provided for ourselves, we defeat the very meaning of democracy and permit government to rule rather than to serve the individual. By every step we take toward making the government caretaker of our lives, we move toward making it our master.

As we face the challenge of today's frontiers, the prospect of an era of unprecedented growth, it seems to me the threat that looms largest is the philosophy of despondency and despair reflected in the increasing clamor for security. This alien urge for protection from the normal processes of change and development can lead only to stagnation and decay. Security is the antithesis of growth. Discovery and improvement, whether in the field of ideas or in the field of economics, must not be stifled in the name of security. Only by confining each man to a predetermined mold can any of us be secure. If each man is to be free to shape his own destiny, to realize his own potential, to think and to build, then each must assume a measure of risk. Growth is change, and change brings dislocation. One man's growth is another's insecurity. So, a cherished belief may be destroyed by the revelation of some undiscovered truth. Resistance to change for the sake of security is a product of fear and lack of faith. It has no place among a dynamic people dedicated to the principles of ordered freedom.

We should recognize, too, that this preoccupation with security from competitive forces is the prime characteristic of the ideologies against which we are now struggling within the Iron Curtain. It is the Marxist dialectic that holds out the false promise of a Utopia created by a stroke of the pen or a quick revolution, a Utopia in which all are happy, equal, and secure. It is the Communist philosophy that seeks the millenium in an eternal, fixed, stable, never-changing social order. In such a state, no man need suffer from insecurity, for no man is free to grow. Whether the plane is intellectual or economic, resourcefulness there is suppressed, innovation is prohibited, and development forbidden. The advocates of the socialist state have ignored the truism pointed out by John Stuart Mill when he said, "A State which dwarfs its men, in order that they may be mere docile instruments in its hands even for beneficial purposes, will find that with small men no really great thing can be accomplished."

Now, the ancient civilizations of China, Egypt, Athens, Rome, and Spain—the fall of these great societies teaches us that in stagnation there is only decline. The siren call of destruction that passes under the name of security is revealed by Alfred North Whitehead when he observes, "A race preserves its vigor as long as it harbors a real contrast between what has been and what may be. . . . Without adventure, civilization is in full decay."

The cry for security is the call of the fearful and the faithless; the God-fearing man who is self-reliant and conscious of his powers calls for freedom, not security. The real security will be found not in repression, but in giving men free rein for their drives and their capacities. It is one of the paradoxes of labels nowadays that in common usage the man who

puts his faith in eternal progress and growth is tagged a conservative, while the man who espouses the cause of the unchanging and stagnant social order is counted nowdays as a progressive.

The American creed is premised upon a simple belief: That each human being is a creature of God and endowed by Him with the dignity of individuality. Each must be free to shape his own integrity and to seek his own destiny. It follows, then, that he may not be treated as a statistic on an economic or sociological chart. Respecting this right of the individual man to realize his own potential, we have pledged ourselves in the most solemn compacts of government to allow to our fellows the greatest freedom of choice possible in the exigencies of living together. Where choice must be limited to preserve the freedom of others, we have sought to assure that each shall have the greatest possible voice in making the collective decisions that will control his life, by keeping the powers of government as close as circumstances will permit to those subjected to the power. We have chosen to erect the structures of government in the belief that no national government should do what the states can do, that no state should do what the local government can do, and that *no* government should do what a man can do for himself. The movement for greater authority for the cities, the concern for states' rights, and the demand for some limitation upon the federal treaty power, all of these are variations of this persistent theme—that government should not be removed from the hands of the governed, that choices which must be made collectively and not individually should be made by the smallest feasible group according to its own needs.

By so doing, we have sought to preserve to each the freedom to grow, to employ his God-given powers and talents as he, in the teachings of his own conscience, believes best. It is for us the supreme function of government to keep clear the paths for the enlargement of human personality, the realization of man's dignity, and the recognition of individual integrity.

It seems almost trite now to observe once more that these principles were enshrined in the Constitution by the wise men who gathered to lay the foundations for the government under which freedom has flourished and our people have prospered. The central government was to be entrusted with limited and specifically delegated powers. Only those matters that required uniform treatment, only those problems that demanded a national solution, were delivered up to the central power.

The great catalogue of human liberties contained in the first ten amendents to the Constitution endeavored to transmute the dignity of man into a living reality. In the turmoil of our time several of these

inalienable rights have been brought to the forefront of our national conscience. Freedom of speech and of the press, the right to assemble peaceably, and the privilege against self-incrimination have all found their staunch and vocal advocates in these days. We have heard much of the first eight amendments, but in the clamor of controversy over these our people seem to have overlooked the ninth and tenth amendments regarding the limitations on the powers of the federal government and the rights which have been reserved to the states and to the individual.

In the structure of our institutions of government, we have put faith in the ability of a man to decide what is good for himself. We have reposed less faith in his ability to decide what is good for others. We are skeptical of the wisdom of a transient and temporal majority, and we are suspicious of those who claim the prescience to devine the common good and to lay down the patterns to which all thought and activity will be made to conform in order to achieve that good. We have recognized that the capacities, drives, wants and needs of the human being are beyond the power of any man or group of men to comprehend and encompass at any single time, and that only experience can provide reliable guides. We accordingly have guaranteed to the individual the right to experiment, to be different, to choose an untried path which the rest of us may regard as sheerest folly. In imposing limitations upon the powers of government in the interests of individual freedom, we no doubt have sacrificed a measure of governmental efficiency. But this sacrifice is offered to achieve what we are proud to believe is a higher good. That incomparable observer of the American scene, de Tocqueville, wrote over a century ago, "Democracy does not give the people the most skillful government, but it produces what the ablest governments are frequently unable to create; namely, an all pervading and restless activity, a superabundant force, and an energy which is inseparable from it, and which may, however unfavorable circumstances may be, produce wonders. These are the true advantages of democracy."

But for all our material abundance, the real strength of our country, and the author of its plenty, is the spiritual and moral force of our ideals. Thomas Jefferson, in the troubled year of 1782, asked this fundamental question, "Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the gift of God?" The power of each man to find his own destiny and to seek his own salvation is the essence of the teachings of the world's great religions, and the wellsprings of our political beliefs lie deep in the heart of our spiritual faith. The reawakening of people everywhere to the primacy of things of the spirit reminds us once more of individual responsibility and of the dangers of assuming to

judge our fellows. We are reminded, too, that no man is so all-seeing and all-wise that he can create for the rest of us an earthly paradise.

In the current state of world unrest, the struggle between Communism and freedom is not alone a war of economic and military power. The greater war is the war of ideas, a spiritual war of moral and religious values. Our best weapon in this battle is to instill the spirit of freedom and faith in the hearts and minds of people everywhere. Even in this age of discovery, when science has found new sources of energy of almost incomprehensible magnitudes, the forces of the physical world pale in comparison with the power of man's great religious and moral ideals. It is this power we have invoked to preserve and to spread throughout the world our precious heritage of freedom and the dignity of the individual.

Now, history teaches that liberties are seldom lost in a frontal attack leveled against them. The threat lies not in open challenge, but in apathy and complacency. Unused, our great freedoms may atrophy and weaken, and their enemies, through cunning propaganda and steady encroachments, may overwhelm us unaware. I am not so much concerned, then, about those liberities for which the defense has already been rallied. But there are other principles, no less basic to our form of government, which lately have been largely ignored.

We have submitted more and more in recent years to governmental control of the pursuit of our livelihoods. We look more and more to government to satisfy our every want and need. We have made government the caretaker of increasing shares of our lives. And we have relinquished the precious right of man to make those choices which, if he is to be a man, he must make for himself. The right of a man to be let alone has been relegated to a lower order in the scale of our common values. But it is a fundamental article of our national faith that we shall not destroy the ancient landmarks in our effort to accommodate the demands for government authority to cope with modern needs. Our principles of freedom must stand as fixed and immovable monuments above the ebb and flow of the currents of change. Paramount and above all other considerations, we must channel the flow of progress within the order and limits of the law, and not sacrifice principle to expediency in a search for easy solutions to the problems which beset us these days.

To me, one of the gravest threats to American ideals is presented by the inordinate and pervasive power of the purse, the power of bounty, the power to spend. To extract forty-six billions of dollars in income taxes alone from the national economy is necessarily to exert a force over many areas of activity which earlier generations had confidently believed to be

immune from federal interferences or subject only to the power of their own states. Such tax collections far exceed the legitimate costs of operating the federal government within its constitutionally delegated bounds. The excess remains to be dispensed by the holders of political power in the form of subsidies, bounties, benefits, and allowances. By taxing us and using the proceeds to purchase compliance with its wishes, the federal government may arrogate to itself unlimited control over our lives. It is one of the hard facts of life that power over the purse strings often carries power over the minds of men. When a citizen becomes so beholden to, or dependent upon, government that he finds it embarrassing or inconvenient to take issue with those in power—to think, speak and act as he pleases—he is in fact losing his freedom even though the Bill of Rights stands as it was written. Freedom is no longer real when men hesitate to claim and exercise it.

When government is the consumer of one-fourth of all the goods and services provided by an abundant economy, when it dispenses vast additional sums by way of bounty, none of us are completely free from its influence. Government by largess has begotten a centralized authority of monstrous proportions, and it has at the same time broken down the fundamental design within that central government for forestalling the corruption of absolute power. The doctrine of separation of powers, the system of checks and balances, teaches that neither the legislature nor the executive should be servile to the other. It was our plan that the legislative branch, representative of and responsive to popular will, would formulate policies which the executive would put into effect. But through the power of patronage, the plums of public works, and the bounties of a benevolent paternalism, the legislature has been brought to heel more than once in the past twenty-five years. Too often the executive has determined the national policy, and at best the legislature has served as a censor of his programs, and at worst, as a rubber stamp. Ironic though it may be, the powers by which the legislator has been brought down by the administrator were conferred by this same legislator.

At the same time, the powers constitutionally reserved to the states have been gradually usurped through this power to disburse, through what are euphemistically referred to as "grants-in-aid." Under more than forty separate programs, the governments of the states have been offered the bounty of the federal treasury in return for the surrender of their constitutional rights to provide for the interests of their peoples in their own way. The notion that the central government is somehow providing aid when it drains the sources of tax revenue and doles out a minor share to the states upon bureaucratic conditions, I say is a mischievous fiction. A government is not a productive enterprise—it does

not create wealth, it does not contribute to the sum total of economic goods. If there is a single well to fill a community's needs for water, the man who drains it and then distributes the water to his fellow townsmen upon conditions he chooses to lay down is not furnishing aid to his neighbors. Recognizing this simple truth, the legislature of the state of Indiana in 1947 passed a short resolution which I will read. This is the Indiana legislature: "We have decided that there is no such thing as 'federal aid.' We know that there is no wealth to tax that is not already within the boundaries of the forty-eight states. So we propose henceforth to tax ourselves and take care of ourselves. We are fed up with subsidies, doles, and paternalism."

Ideally, each person, or more accurately each family, should control the spending of what it has earned. I don't say that is literally practicable, but I say that's ideal. In the long run, no one else can comprehend as well the family's needs and aspirations, and no one can see to it that the fruits of their labor are put to better use. Responsibility for earning begets responsibility in spending. The farther the power to spend is removed from the person whose toil and sweat created the power, the greater the likelihood of economic waste, to the detriment of our common standard of living and to the benefit of no one. The concentration of vast wealth in the hands of a remote and centralized government penalizes thrift and encourages waste. The money is there to be spent, the thinking runs, and unless we get our share someone else will. A community that would reject out of hand a proposal that a public building should be financed by voluntary contributions or by a tax laid on local citizens, will nevertheless clamor for the same project if it is to be financed by federal funds. And you and I know that. It is difficult to respect money that has come from someone else's pocket.

Opposing candidates for public office often vie with each other in offering government bounties in return for political support, bounties which have been collected from these same deluded individuals. More and more we are moving in the direction of appropriating the fruits of all our endeavors to a community storehouse upon which we shall all be dependent for our sustenance.

By pursuing policies which make it useless if not impossible for an individual to earn and to save any substantial amount, the government has restricted the availability of the capital which serves as the life blood of the economy and provides the tools of our callings. Control of capital carries with it control of initiative and innovation as well. As the eventual sole source of capital funds, the government would ultimately find itself at the pinnacle of the socialistic ideal, the owner of all the means of production in the economy.

Unchecked, this exaltation of the state over the individual and this disregard for the right of each to choose for himself can lead only to totalitarianism and the ultimate enslavement of the people.

Now, liberal education is the keystone of freedom. It seems to me the search for truth is, as it has always been, the noblest experience of the human spirit. We are false to ourselves and to our best instincts if we turn our backs on truth or close our eyes when it beckons.

But I earnestly disagree with the report of the recent White House Conference on Federal Aid to Education. In the long view it poses a serious threat to democracy and to freedom. Although we may have great respect and the most genuine affection for the present occupant of the White House, as I believe most Americans have, we should remember that presidents come and go, as do parties in power, and we should ponder well the lessons to be learned from Hitler's complete domination of the German people through the perversion of education. Unless we are ready to say that any President and any administration can be entrusted with shaping the minds and thoughts of our oncoming generations, we should resist with all our strength the present proposal to submit our public school systems to the grasping hands of the federal government. Once committed to such a program there could never be a turning back.

While the unequal distribution of wealth throughout the forty-eight states might suggest to some that we ought to have federal aid to education, it would be error to expose the direction of the educational systems of the several states to the influences of a federal board or bureau which ultimately would attempt to supervise teachers, prescribe curricula and subject matter, and otherwise condition public education. I feel very deeply that the independence of education is essential to the life of a democracy.

The best safeguard against the constant threat of the enemies of liberty to pervert the minds of our youth by mass propaganda is for each state, county, or school district to liberally support a sound program of education on a decentralized basis, under local control—free from federal manipulations, free from subversive control.

We can have no confidence in statutory reassurances that state and local schools receiving federal support will be protected in their autonomy. The folly of relying on such is indelibly written in the abuse and misuse of federal powers in the past twenty-five years. The federal agency that builds the schools and issues the checks inevitably will issue the orders. To allow our fine independent public school system to become hopelessly addicted to, or dependent upon, federal aid would be nothing short of a national calamity. The people of this country want

no national thought controller, whether he bear the name of Goebbels or one of the many we have seen in Washington headlines in the past quarter-century, and they will not allow themselves to be swept away by any insidious educational proposals now being advanced.

Unless men of wisdom and devotion to our spiritual ideals assume their rightful place of leadership, the shining promise of a new age of greatness will remain unfulfilled, and the ever increasing trend toward unlimited government may advance beyond recall. The call of the hour is for statesmen. Gone is the day of the wild-eyed zealot, the rebellious and irresponsible reformer, and the technician of sterile brilliance. The need today is not for panaceas but for prudence. Reinhold Neibuhr, the theologian, says, "The tragedies in human history, the cruelties, the fanaticisms have not been caused by the criminals . . . but by idealists who did not understand the strange mixture of self-interest and ideals which are compounded in all human motives, by reformers who fail to understand the necessities of personal reformation . . . by the wise who do not know the limits of their own wisdom, and by the religious who do not know that in 'God's sight no man living is justified.' "

Never before have the complexity, the diversity, and the interdependences of life so defied simplification and solution. The call in such a day is for men of judgment, able to rise above selfish concerns and allegiances, men who know the virtues of restraint, orderliness and moderation, and who will heed the lessons of history. The need is for men who will blend self-discipline with God-fearing humility and a warm respect for the rights of their fellow men. The stature of statesmanship is not a commodity to be purchased. It cannot be gained by artifice or contrivance to attract public attention. It is a justly earned recognition of power controlled by conscience and a sense of public duty.

I do not mean to paint the picture too darkly. The people of America still enjoy a degree of liberty unsurpassed among the nations of the world, and they share a material abundance unknown to the past. There are signs of returning sense of responsibility and of renewed respect for principle in the federal administration and among the leaders of both great political parties, but I am still concerned about socialist tendencies.

From among our professional ranks may come the statesmen of the hour. Our calling, as advisors to the public, well fits us for the task. The obligations of leadership which our qualifications impose upon us must be discharged in our private pursuits as well as when we assume public office. I say if our lawyers in these trying times are not the ones to lead us, who are the ones? Is there anyone else in sight? I think in this day of the rising up of lawyers as we have seen in this membership

drive this is a day not only for self-improvement and improvement of our services to our clients, but a day of all days when public leadership must come to the front. We must be ready to be heard and to serve when the interests of ordered freedom demand, no matter how distasteful we find the controversial arena of public service. The positions of power and responsibility we occupy in our professional lives must be justified to the public, not in words but in works. As Thomas Paine said, "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it."

Mr. Charles B. Henley of Hazlehurst, President of the Junior Bar Section, moved the Convention to refer recommendations two through five of the Report of the Junior Bar Section's Ethics Committee to the Bar Commissioners for their action and referral to the next annual meeting. The motion was seconded and carried.

Mr. Gibson B. Witherspoon of Meridian presented a resolution in support of Senate Bill No. 1256 and House Resolution No. 3559, designed to alleviate present congestion in the United States District Court for the Southern District of Mississippi. The resolution was unanimously adopted.

Mr. Jerome S. Hafter of Greenville presented the Report of the Resolutions Committee. In addition to resolutions expressing appreciation to the Hinds County Bar Association, the Edwards Hotel, and Messrs. Bang, Carrington, Shepperd and Gambrell, the Convention speakers, Mr. Hafter presented and the Convention adopted a resolution endorsing and recommending President Satterfield for the office of President of the American Bar Association.

Mr. Gibson B. Witherspoon of Meridian was nominated by Mr. Bidwell Adam of Gulfport, and Mr. Phil Stone of Oxford was nominated by Mr. Robert G. Nichols, Jr., of Jackson, for election as State Bar Delegate to the House of Delegates of the American Bar Association for the two year term beginning at the close of the next annual meeting of the Association. Mr. Witherspoon was elected.

Mr. M. M. Roberts of Hattiesburg was nominated by Mr. Ross R. Barnett of Jackson, and Mr. Breed O. Mounger of Tylertown was nominated by Mr. Forrest G. Cooper of Indianola, for the office of President of the Mississippi State Bar. Mr. Roberts was elected.

Mr. W. S. Henley of Hazlehurst was nominated by Mr. W. C. Keady of Greenville for the office of Vice-President, and was elected unanimously. On behalf of the Junior Bar Section, Mr. George E. Morse of Gulfport nominated Mr. Charles B. Henley of Jackson for the office of

Second Vice-President. Mr. Henley was unanimously elected.

The Convention then chose the Buena Vista Hotel in Biloxi, Mississippi, as the site of its 1957 meeting.

The election of Commissioners by district showed the following results:

District 1—Douglas D. Shands, Tupelo
District 2—George E. Morse, Gulfport
District 3—Sidney L. Hurdle, Holly Springs
District 4—William C. Keady, Greenville
District 5—Marshall Perry, Grenada
District 6—Louis G. Baine, Jr., Woodville
District 7—Erskine W. Wells, Jackson
District 8—Sidney T. Roebuck, Newton
District 9—Burkett H. Martin, Vicksburg
District 10—Robert E. Covington, Quitman
District 11—Semmes Luckett, Clarksdale
District 12—James S. Finch, Hattiesburg
District 13—Martin Mooney, Collins
District 14—Ethel R. Arrington, Hazlehurst
District 15—William H. Stewart, Poplarville
District 16—W. H. Jolly, Columbus
District 17—Herbert M. Fant, Sardis
District 18—Jack Deavours, Laurel

The Fifty-First Annual Convention of the Mississippi State Bar then adjourned sine die.

PROCEEDINGS OF THE TWENTIETH ANNUAL MEETING

OF THE

JUNIOR BAR SECTION

Held at Jackson, Mississippi, June 21, 1956

The Twentieth Annual Meeting of the Junior Bar Section was called to order at 1:30 p.m., June 21, 1956, in the Hotel Edwards, Jackson, Mississippi, by Mr. Charles B. Henley, President of the Junior Bar Section.

The invocation was delivered by Reverend Fred Bush of Jackson.

An address of welcome was delivered by Mr. John A. Travis of Jackson, and was responded to by Mr. George E. Morse of Gulfport.

The first order of business was the consideration of the various committee reports.[1] Mr. Charles Clark of Jackson presented the Report of the Committee on Public Relations. Mr. John A. Travis, Jr., of Jackson presented the Report of the Legislative Committee.[2] Mr. Henry K. Van Every of Columbus presented the Report of the Committee on Authorized Practice of Law. Mr. Roland W. Heidelberg, Jr., of Hattiesburg presented the Report of the Code Study Committee. All the above reports were adopted without discussion.

Mr. James B. Ramsey of Vicksburg presented the Report of the Committee on Legal Ethics. Recommendations two through five were adopted without discussion. After discussion of recommendation one, Mr. Ramsey's motion that it be referred to the Study Committee of the Mississippi State Bar for further action without recommendation from the Junior Bar was adopted.

President Henley then introduced Chancellor L. Arnold Pyle of Jackson, who delivered the following address:

ETHICS OF THE LEGAL PROFESSION

*Judge L. Arnold Pyle**

Someway or somewhere back down the line the members of our profession have failed to live up to the high degree of ethics and conduct which we are bound and compelled to lead, and some sad few have

[1]All committee reports will be found in Apendix A.

[2]The Legislative Committee is a joint committee of the Junior and Senior Bars. The Report of the committee is included in the reports of the committees of the Senior Bar in Appendix A.

*Chancellor, fifth district, Mississippi.

failed to remember those words when they held up their hand and said "I do solemnly swear that I will demean myself as an attorney and counsellor of this court according to the best of my learning and ability, and with all good fidelity as well to the court as to the client; that I will use no falsehood, nor delay any person's cause for lucre or malice; and that I will support the Constitution of the State of Mississippi so long as I live, so help me God." Now, I say to you that some very few among our number have failed to live up to that oath, have failed to live up to the high degree of ethics required of our profession, and have brought about this matter of our noble profession's being made the butt end of so many such stories and definitions as I have just quoted to you a moment ago.

The first thing that I would like to call to your attention, and particularly to the young members of the bar, is what your conduct should be in the courtroom before the court. It is the duty of a lawyer to maintain toward the court a respectful attitude, not for the sake of the temporary incumbent of the office, but for the sake of the profession. One thing which I see among young members of the bar in this respect is their failure to show up promptly when they have a date with the court. Most courts over the state are no different than mine. When the court is open for business it is there for business, and if you are not ready with the matter that was scheduled for hearing at that time, then somebody else would like to have that time, and it is highly inconsiderate to the court to require it to sit there for thirty or forty minutes while the sheriff goes and rounds up the lawyers in a case. And I will say to you that it is extremely distasteful, and I think extremely unthoughtful, for a member of the bar, old or young, and particularly young, to fail to show up for an appointment promptly at the given time. And then there are common courtesies, such as standing when you address the court, such as keeping your feet off the counsel table. I wish that each young lawyer here present could see such men as Mr. Garner Green, Sr., and Judge Lyell over here, and other men of that era perform in the courtroom. Even though they are past seventy years of age at this time, you will never see them sit in a chair and address the court. Their presence in the courtroom and their conduct in the courtroom radiate decorum and respect for the court. And it hurts me to see the younger members of our bar being so careless about these small things, for when there are laymen sitting in the courtroom observing it, it reflects and reflects very vividly to them the type of administration of justice that is going on in that particular courtroom.

Another thing that I see happening from time to time is the lack of preparation for trial. When your case has been once set on the docket it

is your duty to your client and to the court to be ready, as ready as is humanly possible for a lawyer to be when that case is called. It reflects on the court and it reflects on you as a member of the profession when you come into the courtroom and ask the court for a continuance because you are not ready. Oh, I realize that there are exceptions to the rule, that there are situations where it is impossible for you to be ready. But you are not fooling us a little bit when you ask for a continuance just because you have been negligent in going about the matter of preparing and being ready for the trial of your suit. Young lawyers should, of all people, when they are given a piece of business by a client, handle it expeditiously. There is nothing that will make a finer impression on the client and the public during a hearing in the court or on the court itself than to see a member of the bar who goes about his business expeditiously as well as efficiently. I hear an awful lot of criticism of lawyers for the neglect of business. Litigants frequently come directly to the court complaining that their lawyer has accepted a fee but has done nothing thereafter about filing suit or getting ready for trial. The necessary delay, to say nothing of negligence and procrastination on the part of the lawyer, cannot be understood by the average layman, and it behooves you as members of the bar and the judges of our courts to do all that you can to alleviate this criticism of our profession.

Another thing I hear of lawyers doing which is highly improper and unethical is criticizing the judge for the loss of their case from the standpoint that the decision was politically expedient, or any kind of an excuse to keep the monkey from being placed on their back, or from showing what the true cause of the loss was, which many times could be attributed to their lack of preparation. The judges of this state, from the county court up through the supreme court, as a whole are men who are trying their dead-level best to decide your case on the facts and the law as it is presented to them in a given case. They are too big, they are too fine, they are too honorable to go about deciding your case because it is politically expedient to do so, and if you find judges who are doing that, it behooves you as members of the bar to get them some opposition and do it quick and get rid of them in the first election that comes along. You do not only the judges but also the entire legal profession grave injustice when you go out of the courtroom criticizing the court to your client because you lost the case. You know and I know that when two parties are litigating a matter in court in nine hundred and ninety-nine times out of a thousand only one of them can actually win. Somebody has got to lose, and if you are in the business long enough you are going to lose them and you are going to win them, and it is a poor lawyer indeed in my estimation that in every instance where he loses his case is not man enough to take his medicine, but goes out and starts criticizing the

court for the loss of his lawsuit. On the other hand, the courts, dealing with litigants, court officers and the lawyers, should likewise be in keeping with a considered, wise and helpful decorum commensurate with the occasion. I have learned to place a lot of the responsibility for the discourteous and disrespectful conduct displayed by litigants and members of the bar inside the courtroom squarely upon the judge. I am thoroughly convinced that a judge can maintain proper judicial respect for the office from the members of the bar and from the litigants. They may not like him as an individual, but they can treat the office which he occupies with respect while they are in the courtroom, if the judge is the kind of judge that he should be. We in the Hinds County Chancery Court have already adopted substantially the rules of conduct as outlined by the Ethics Committee a moment ago, not for the reason that we are trying to play bigoted or to be unduly hard on the members of the bar practicing in our court, but in an honest, sincere effort to restore to the court some of the dignity which we feel it deserves, which has somewhere along the line been lost from the days when Judge Lyell and Mr. Garner Green and some of these older members of our bar started practicing.

Another thing that I have observed a few young lawyers doing from time to time, which I feel should be called to your attention, is the matter of trying to exercise undue influence on the court. One of the hardest things that a judge has to do is to sever himself from his friends within the bar to some degree, and I don't mean that you have to entirely cut out all your social activities with the judge, or the judge with the lawyers, but I do think it is improper for a particular lawyer to be inviting the judge to play golf with him every afternoon or one or two afternoons a week, to dinner once or twice a week, things of that character. I am talking about overdoing it; it will draw criticism. Maybe the lawyers understand that there has been a close personal relationship for many years, and they will make no objection, but the litigants and the public generally don't know that, and when they see these two people together all the time they feel like that particular lawyer has got the judge in his pocket. Such conduct is unethical and highly detrimental to the profession.

Another thing I would like to mention is the matter of lawyers handling propositions which involve conflicting interests. Two of the biggest lawsuits that I have had the responsibility of trying since I have been on the bench grew out of situations where a lawyer was striving diligently to represent two or three factions. I say to you that you can't be too careful of steering clear of situations where you represent parties of conflicting interests. It will come back to haunt you just as surely as you stay in the profession for any length of time. Both sides will fall out with you and spend the rest of their lives criticizing you and the profession.

Another thing that I observe is the matter of handling trust property of your clients. The lawyers of all people must be honest. He is under no bond, unlike practically every other person serving in any fiduciary relationship, and through the years he will be privileged to handle literally thousands of dollars of money that belongs to other people. The trouble most often grows out of the fact that lawyers will co-mingle the funds of their clients with their own personal accounts. For instance, they will have one bank account. They put everything that comes into the office in that bank account, and somehow, some way or other, they start out unintentionally using a little bit of that money that belongs to a client with the idea in mind that they are going to get another fee in a few days and will replace it, but circumstances prevent, and they are unable to put that money back and to account to the client for it. This can lead to nothing but trouble. My advice to lawyers is set up a separate account for your client's money, separate it from your own personal account, and further still, if you have two banks in your town, put one account in one bank and the other in the other bank. You can't guard too carefully the privilege of dealing with other people's money and property as a member of the profession.

Another thing I would like to call to your attention is the matter of being frank and candid in dealing with the court. I see a tendency on the part of some young lawyers to try to play cagy, to misquote certain passages of law in making arguments, to misquote testimony, to do this, that or the other that they know in their own minds and own hearts is not correct. I see them being unduly harsh with the opposition in trying to agree upon a stipulation of facts. They are pressing their point and want to show the opposition and the court how sharp they are on these things. But you will gain respect and favor with the other members of the bar and with the court and with the clients that you represent if you are not too cantankerous about matters where there is no right of your client to be lost. The court will appreciate it and other members of the bar will appreciate it if you will do what you can to expedite these matters.

On the matter of advertising my own honest opinion is that very little business is gained through bold schemes of advertising such as having the firm's name printed on pencils and placing them in public places. It is my judgment that not more than once in a lifetime would a lawyer get a client because he left a pencil in the courthouse or somewhere with his name on it. I don't believe a lawyer would get a client by sending him a Christmas card with his law firm's name on it. Such acts are entirely unethical, do the lawyer no good, and bring a vast amount of criticism to the profession. A lawyer will get business only when he has convinced

the public that he has ability, the honesty and the integrity to handle its business. There will be little business lost to a man spending his money in these unethical advertising schemes, but the profession stands to lose much in prestige to the public.

I am going to mention only one other thing and that is the matter of stirring up litigation, directly or indirectly. Again I say to you that you are hurting yourself and hurting the profession and that you are not going to get any business that way. My guess is that you won't get one case out of a thousand. The vast majority of people in this day and time, with the modes and methods of communication that we have, have some connection or friend that has a connection who knows a lawyer they are going to get if they have a piece of business which requires the service of a lawyer. You are not going to get that piece of business by going to the hospital and sitting down at the bedside of some person you do not know and asking that you be permitted to represent him in a personal injury case. But your name gets spread all over the countryside for having made that visit, and the profession as a whole gets talked about.

There's one other matter that I want to mention, because it is a sort of pet subject of mine, and that is the practicing lawyer's attitude toward people coming into his office upset, mad and excited, asking that a bill of divorce be filed immediately. I think you do the profession, I think you do yourself, I think you do these litigants—these would-be litigants—a great disservice to encourage the filing of bills for divorce under such circumstances. I wish that you would for the good of the profession and all concerned, when a person comes into your office under such circumstances point out a few things to those people as an officer of the court. Point out to them what it might mean to the welfare of the two individuals themselves and their children not to hurry to the divorce court. I would like for you to point out to them the fact that the average family cannot afford to be divorced from a financial standpoint, that it would literally break the man's back to try to support two households. The fact in most cases is that he cannot support one family, much less two, and I see them trying to support three and four. Although they may feel that proper adjustment can be made insofar as care of children is concerned, point out how impossible it is to work out a satisfactory custody arrangement for the children; how a broken home affects the lives of children. It was intended by the Lord that children should have the guidance of both a mother and a father. Don't encourage them to break up that relationship.

In the final analysis I would like to say this to you. There is only a very small percentage, something like two or three per cent, of the

members of our profession that bring about the great bulk of the criticism of our profession. My experience has been that the vast majority of lawyers, some ninety-seven to ninety-eight per cent of the members of the bar I have come in contact with, are most honorable men. Their word is their bond, but there is that small few who have crept into our midst, and I say to you that you owe a duty to yourself and to our profession to help weed this small few out of the profession, and there are ways and means of doing it. Little has been done through the years about disbarring members of our profession who will not live up to the code of ethics prescribed. I would like for you to read for your information and consideration two decisions which have been handed down by the Supreme Court of the State of Mississippi in recent years. One of them is *In Re Higgins*,[1] and the other is *In Re Poole*;[2] there you will find a well defined course of action which can and should be taken by the bar to expunge from the profession those members who insist upon engaging in conduct contrary to our code of ethics.

We have a great and noble profession. I hope you will regard it as such in spite of the criticism that you hear from time to time, and that you will go away from this Convention with a renewed vigor to do what you can to keep and maintain our great profession on a high and noble plane.

Mr. Joe R. King of Hattiesburg presented the Report of the Committee on Institutes. On motion and second the committee's report was adopted. Mr. Warren V. Ludlam, Jr., of Jackson presented the Report on the Estate Planning Conference. Mr. William F. Goodman of Jackson presented the Report on the Mississippi Law Institute. Mr. William O. Carter, Jr., of Jackson presented the Report of the Committee on Legal Aid.

PRESIDENT'S ANNUAL ADDRESS

Charles B. Henley

I particularly want to thank every one in the organization for giving me the opportunity to serve you. I want to tell you that I tried to give the organization time, that I have gotten splendid cooperation from my officers, from my Executive Committee, and that if we have had some success and if we have benefited the Bar Association in any way, that I personally through the opportunity to serve you have gotten a great deal more out of the past year than the Bar Association could have possibly gotten, and I sincerely thank you for giving me the opportunity to serve you in the office that I have held.

---

[1] 194 Miss. 838, 13 So.2d 829 (1943).
[2] 76 So.2d 850 (Miss. 1955).

Now, the Executive Committee held three meetings in Jackson and one meeting in Oxford, Mississippi. Incidentally, the meeting in Oxford, Mississippi, was held for the benefit of those members in the northern supreme court district, and also due to the fact that that was the day Ole Miss played the University of Arkansas, but actually we did hold our executive meeting, and a good deal was accomplished, and I think it's a good thing that we are able to coordinate our bar association activities and give those people on the Executive Committee some small reward for the service they are giving you, and I think it was probably a good suggestion we hold one meeting at the University of Mississippi during the football season.

Now, your members of the Executive Committee, a great number of them, served very diligently, but there were perhaps one or two that due to personal problems and press of their private practice were not able to function to the degree that we would have liked to have seen them work, and I want to urge you when you go into your caucus to select your members for the Executive Committee of the Junior Bar to try to determine that those selected will have the time to come and to go to four meetings during the coming year and try to do everything in their power to enter into the work and to work out all problems that your Bar Association has, and there are a great many problems.

Now, I feel there ought to be continuity in the work of the State Junior Bar Association. When we work in our Junior Bar on a local level the same members come back from time to time and we all know each other and we are able to move along with a program. When a committee chairman goes out, the next man who takes his place is right in the same town with him and is able to confer with him about his problems and to take over his file. Now, on the state level in our organization we have a serious problem. The age limit will get a man before very long. All of us will be thirty-five before we know it. For that reason I feel some members who have served on the Executive Committee should come back into the new Executive Committee where they can pass on their experience they gained to the new members. We want to encourage all of the new attorneys to participate, but we don't want a complete turnover if possible.

Now, along the same line of continuity of action I have wondered myself if a special committee on revision of by-laws should not be appointed and serious consideration be given to elevating the vice-president of the Junior Bar Association automatically to president, and I would like to recommend to my successor that that be done. I would also like to recommend that the immediate past president of the Bar Association be invited to serve as an ex-officio member of the Execu-

tive Committee and be encouraged to come, and try to get him to help advise and work and continue the program the year after he leaves the office of president of the Junior Bar, and work with the incoming members of the Executive Committee and incoming president and vice-president. I think that could probably be done by the action of the president. I am making that suggestion, but I should prefer that the new president refer it to the by-laws committee and not act on it this year, because that's putting me to work two years in a row.

Now, one thing we need is local cooperation between the Junior Bar and the entire State Bar. The biggest problem that the Junior Bar Association has is the budget. I believe that the young attorneys that we have got in this state will work to the extent in their own professional organization that time will permit, and if a proper arrangement could be worked out whereby the budget of this association could be increased I believe we could get more for the benefit of the legal profession and the benefit of the public at large through spending that money in the Junior Association than the State Bar Association would. That's a confidential communication. Don't tell them I said that. But I sincerely think that if the budget could be increased it would be a good thing, and some member of this organization should go into the State Bar Association meetings and try to get our budget increased.

Now, another recommendation I would like to pass on is that the president of the Junior Bar encourage our State Bar president to appoint the Junior Bar committee chairman to the corresponding Senior Bar committee. I feel that they have done that to some degree over the last year, but we have a great deal of overlapping committees, and if we had our chairman on the new committee I feel that it would serve a good purpose. I assure you that the president of the State Bar will be willing to do that if he is simply requested to do so.

During the year I spent working for this organization I was privileged to attend several American Bar Association meetings to represent our Junior Bar Association. I went to the American Bar Association meeting at Philadelphia, the general bar meeting, the regional midwinter meeting at New Orleans, and I attended a meeting of the presidents of junior bars of the fourth and fifth circuits in Columbia, South Carolina. I think that our work with the American Bar Association is extremely important, that we learn a great deal from working out our problems, discussing our problems with heads of other state junior bar associations.

I want to urge more of our junior members to join the American Bar Association. I want to urge the officers and Executive Committee members in this organization to participate in the American Bar Associa-

tion to a greater extent. The American Bar Association has put on a tremendous campaign for new members this year. They have done a wonderful job, and any of you gentlemen that are interested in the American Bar Association that are not now members, we would all be most pleased to see you join that organization.

Now, one final point I would like to make. I believe we need more junior bar associations on the local level and more coordination from the state headquarters with the local junior bars, and I feel that a special committee should be appointed to determine how many junior bar associations there are in the state of Mississippi and who the officers of those organizations are, and to stay in constant contact so that we will have more power and more force behind anything we do from time to time. The only time we get to work together is in this annual meeting. I think every town in Mississippi that has five lawyers under thirty-five ought to have a junior bar association, and the state headquarters ought to know where they are and who they are.

I would like to thank you again, and I hope some action will be taken on these recommendations and that you will give them some consideration.

The next order of business was the election of officers. The following were duly elected:

Mr. George E. Morse of Gulfport, President.
Mr. John A. (Jack) Travis, Jr., of Jackson, Vice-President.

Recommended to the Senior Bar as Second Vice-President:

Mr. Charles B. Henley of Jackson.

Executive Committee:

Central District:

King Hayes Callicutt of Jackson

Walter W. Eppes, Jr., of Meridian

William F. Goodman of Jackson

Northern District:

Joseph E. Boone of New Albany

James McClure, Jr., of Sardis

John H. Shands of Tupelo

Southern District:

Miss Dorothy Clower of Laurel

James F. Noble, Jr., of Brookhaven

J. E. Ulmer, Jr., of Bay Springs

The Twentieth Annual Meeting of the Junior Bar Section was then adjourned sine die.

APPENDIX A

COMMITTEE REPORTS—SENIOR BAR

REPORT ON A. B. A. MEMBERSHIP CAMPAIGN

Our membership quota in Mississippi was 342 members. If you ever started out to get 342 lawyers to sign something, you know what we were confronted with. True, we had a package to sell. The great President of the American Bar Association was a southerner. We are represented ably on our Board of Governors by John Satterfield. The Convention meets in Dallas, Texas, this year, and we had a fine regional meeting down in New Orleans last fall. We divided the state up into six congressional districts, and I can't give too much credit to the gentlemen who acted as chairmen for each one of these districts: George Ethridge of Meridian, Shelby Rogers of Jackson, M. M. Roberts of Hattiesburg, Cage Brewer of Clarksdale, L. A. Smith, Jr., of Holly Springs, and Cary Stovall of Corinth. They all helped formulate a team that worked hard and these gentlemen in their respective counties put over the drive in their counties: Adams County, Everett Truly, Robert A. Bonds and R. A. Netterville; Calhoun County, Paul M. Moore; Forrest County, M. M. Roberts; Jackson County, Merle F. Palmer; Jasper County, Robert H. McFarland; Lauderdale County, Tom Bourdeaux; Lawrence County, E. Kenneth Riley; Lee County, Sam H. Long; Lincoln County, Pearce Phillips and George H. Gulley, Jr.; Newton County, Sidney T. Roebuck; Scott County, Oscar B. Townsend; Tallahatchie County, Sidney T. Carlton; Walthall County, Henry Mounger; Union County, Hugh N. Clayton; Hinds County, Ross Barnett.

These are the figures that were compiled as of June the fifteenth. Since that time there have been other memberships reported, and your county may be among those that have reached their hundred per cent quotas. But these are the latest available statistics, and now, as a great tribute to our southern President, Mr. Gambrell, and as a tribute to John Satterfield who has served so ably in the House of Delegates and as a member of the Board of Governors, and as a reward for all of those who did such splendid work and worked as a team, I am very happy to read a telegram that I have just received this morning: "All hail to Mississippi and the great membership drive of the A.B.A. under your command. Applications on hand or requested now total 344. Please report our congratulations to John Satterfield and all the members of your fine committee and your organization. Signed, Cecil C. Burney, General Chairman."

REPORT OF THE COMMITTEE ON AMERICAN CITIZENSHIP

Your committee recommends that the program of citizenship conducted in the schools of Mississippi for grades eight through twelve places emphasis on three major points. First, the program should include a good Mississippi citizenship program. Second, the Mississippi State Bar should work in conjunction with the State Department of Education to the end that the program shall reach all the high schools of this state. Third, the Mississippi State Bar association through its committee work should tell the actual, true story of Mississippi and why we wish to preserve segregation of the races.

REPORT OF THE BUDGET AND FINANCE COMMITTEE

After careful consideration, the Committee presents and recommends for adoption the following Budget for the fiscal year 1956-1957, which is substantially the same

as the Budget for the past fiscal year:

Office Expense	$1,700.00
Commissioners' Expense	1,500.00
Junior Bar Section	1,000.00
Annual Meeting	200.00
Committee Expense (to be allocated by the Commissioners)	1,500.00
Travel Allowance for Study Committee	350.00
National Conference on Uniform State Laws	200.00
Expenses of Delegates to Judicial Conference	150.00
Secretary's Salary	3,900.00
Expenses of Secretary to A.B.A. Convention, and to Mid-Winter and Regional Conferences	650.00
Miscellaneous or Contingent Expenses	150.00
Extra Office Help	2,400.00
Mississippi Law Journal	4,500.00
Dues, National Conference of Bar Presidents and National Conference of Bar Association Secretaries (A.B.A.)	50.00
President's Expense	250.00
Board of Bar Admissions	2,000.00
Total	$20,500.00

The allotment for Commissioners' Expenses has been raised from $1,000 to $1,500. The Commissioners have devoted endless hours to the work of our Association and we have had a most commendable year. We should at least provide sufficient funds to cover their travel allowance.

The salary of our efficient secretary has been raised from $3,600 to $3,900, a much needed increase, inasmuch as the work required of our secretary and the cost of living has greatly increased since the present salary was fixed on approval of the Budget at the June, 1952 convention.

The allotment for the *Mississippi Law Journal* has been raised from $4,000 to $4,500. Our *Journal* now ranks among the best in the nation and deserves all of the financial support which our association can afford to give it. The *Journal* must have this increase if it is to keep pace with the leading law journals of the country. The Committee realizes that the *Journal* needs much more financial assistance than herein contemplated, and would gladly recommend more, if the annual receipts were sufficient for the purpose. However, the Committee feels that the anticipated annual receipts are clearly not sufficient to permit more funds for the *Journal* than herein provided, at this time.

The Committee is well aware of the fact that the Bar must function through the work of its committees. Actual committee expenses during the past year amounted to $1,020.09. To encourage attendance at committee meetings and more and more activities on the part of the committees for the good of our Association, the Committee has allocated the sum of $1,850, which it feels should be ample for payment of travel expenses for each of the committees. The Committee has fixed the travel allowance of the Study Committee at $350 as heretofore, and has left to the Commissioners the allocation of the remaining $1,500 among the several committees as their respective needs may justify, in the light of the activity of each.

Except for a few minor increases or decreases, the remaining items of the Budget are the same as in the Budget for last year. The Committee, therefore, feels that no special comment on these items is needed.

The Association has had a splendid year under the excellent leadership of our President, and the Committee extends its commendation to all of the officers, to all of the Commissioners, and to all of the committees of our Association for the exemplary manner in which the affairs of our Association have been carried on, all within the limits of the Budget allotments for last year, insofar as possible. The Committee feels that this Budget is within the scope of the anticipated receipts and revenues of our Association, and that it will enable the good work to be carried on by the incoming administration within the bounds of our limited resources.

The Committee recommends that the incoming administration take all steps as may be necessary to clear up all delinquency in the payment of dues. It is very necessary that all bar dues be paid if the Association is to function at its best.

The Committee urges the members to visit the Office of the Mississippi State Bar in the New Capitol, from time to time, when in Jackson, and to see for themselves the splendid manner in which our affairs are being conducted. And while there, the members can examine the audit prepared by Dick D. Quin & Company, covering the past fiscal year, closing as of May 15, 1956, as to details. Time and space do not permit further details in this Report.

REPORT OF COMPLAINT COMMISSIONER

Being complaint commissioner is a problem. It is a thankless job, but at that it's a privilege and opportunity to do the work and to find lawyers in Mississippi as cooperative and as eager to try to help as our own Mississippi Bar is.

There were a great many complaints made during the past year, most of them dealing with very minor things. One complaint concerned a person who lived in another state and hired a lawyer in this state to secure a divorce. Of course, the person was not entitled to a divorce in this state, but he was still mad at the lawyer because he didn't get the divorce. I really felt about as sympathetic with the lawyer as I did with the litigant. We had a good many complaints on commercial items, because somebody wouldn't answer a letter, because they didn't answer for a long time, and because they picked up some kind of a protectograph machine or something and hadn't turned it back promptly, or because of some other thing that didn't amount to anything. We had one complaint that came to us time and again about one lawyer, and it developed that the lawyer was ill. He didn't have a partner, and he was in the hospital a long time, so he had no chance to answer his letters. So when we got to the bottom of it, it wasn't the fault of the lawyer at all, it was just because of his illness. So on the whole complaints have been like that, and as a whole there have been none of any value.

I should tell you that in one town where there are excellent lawyers, a complaint came in involving four or five firms. A woman was just raising hell about every one of them, and as soon as she found I was Complaint Commissioner she came buzzing into my office. It was soon apparent that there was something wrong about it all. She thought they had stolen her money and her character, had had her put in the asylum, and had done every other kind of imaginable thing against her. Finally I had to ask her myself if she hadn't been in an institution, and it developed she had been in Whitfield and elsewhere. She just needed a little bit of Neuratone or something else to quiet her down and let her go on her way in peace. So many complaints are like that, and it is a privilege to go through them and find out that the lawyers were great fellows after all.

We have had one or two complaints that were of a serious nature, but to have

just two complaints of a serious nature in the period of a year with more than sixteen hundred lawyers in the state is really a great recommendation of the ethics of the Bar of this state.

REPORT OF COMMITTEE ON MAINTENANCE OF CONSTITUTIONAL RIGHTS OF THE STATES AND OF INDIVIDUALS

We, the Committee on Maintenance of Constitutional Rights of the States and of Individuals, recommend that the Mississippi State Bar adopt the following Resolution:

In these times, troubled by those who seek political advantage or personal aggrandizement by engendering misunderstanding between citizens living in different areas of our country and citizens of different races, we feel that it is the duty and privilege of the legal profession in Mississippi to reiterate those principles of government in which we believe and by which we have in the past endeavored, do now and intend in the future to endeavor to live.

We believe in the right of all citizens of the United States, regardless of race, color or creed, to maintain life, liberty and property and the pursuit of happiness under due process of law and with equal protection of laws, within the true mandates of the Constitution of the United States and the constitutions of the several states.

We believe that even handed justice should guarantee to all persons accused of crime a fair and impartial trial and should punish all those who violate the law and that it is the duty of our profession as officers of the courts to lend our aid to see that justice is done, that violation of the law does not go unpunished and to prevent violence at all times; we believe that the Consitution which guarantees to the states and to the people those rights which form the bedrock of liberty must be upheld in the protection which it accords to all citizens in the daily exercise of that freedom which is the United States of America.

We recognize that when the solemn compact which is the Constitution of the United States was entered into by the states and by the people, there was brought into being a federal government of limited power under a system of checks and balances set up to assure and protect the rights of the people and the rights of the states against encroachments by the officials of that federal government and to protect the departments of that government from encroachment each upon the other; that whenever violence is done to this doctrine of checks and balances, the format of the government suffers and the rights of the people are imperiled; that the Supreme Court of the United States was envisioned to be and for many years constituted the balance wheel of the Constitution, evenly and justly judging between the legislative, executive and judicial branches of the federal government, between the states of the United States, and between the people and the governments which they themselves had constituted to be their servants and not their masters. We recognize, as was said so long ago by the first President of that very federal government, that "government is not reason, it is not eloquence—it is force! Like fire, it is a dangerous servant and a fearful master." The Supreme Court was designed to protect the people and the states from that danger and that fear.

We believe with Judge Thomas M. Cooley that "A constitution is not to be made to mean one thing at one time, and another at some subsequent time when the circumstances may have so changed as perhaps to make a different rule in the case seem desirable. . . . It is with special reference to varying moods of public opinion, and with a view of putting the fundamentals of government beyond their control, that

these instruments are framed; . . . [and] a court or legislature which should allow a change in public sentiment to influence it in giving construction to a written constitution not warranted by the intention of its founders, would be justly chargeable with reckless disregard of official oath and public duty. . . . What a court is to do, therefore, is to declare the law as written, leaving it to the people themselves to make such changes as new circumstances may require."[1] Yet in violation of these principles of the constitutional construction, the Court has expressly stated in the *Brown* case[2] that it would not construe the fourteenth amendment as of the date of its adoption in 1868, nor ascribe to it the meaning found to exist by that very Court twenty-eight years later, and based its construction thereof upon grounds arising from recent theories in the psychological and sociological fields patently to meet what the Court believed to be a change in public sentiment.

In our time we have seen the Supreme Court of the United States set up and follow a policy of attrition whereby, now through gradual extension by novel construction, then through violent departure from proper constitutional procedures by amending rather than interpreting, this Court is destroying the rights of the several states and the people thereof, granting to the federal government powers not delegated to it by the Constitution, but which were reserved to the states and to the people. We have seen the Supreme Court permit or require the federal government to invade the field of sovereign rights reserved to the states, until there is being destroyed before our eyes that very form of government which has brought to a pinnacle never before achieved by mankind the freedom and liberty which men sought for so many centuries, but never before achieved. The Court has wholly disregarded the solemn warning of George Washington who cautioned: "If in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment, in the way which the constitution designates. But let there be no usurpation."

We believe that these usurpations of power by judicial fiat in the fields of public education, public facilities, public accomodations, public transportation, property restrictions, state local elections, anti-subversive legislation, employer-employee relations and other fields of human relations which are local and as to which the several states have heretofore exercised jurisdiction, must be halted immediately by the legal profession of this country through the use of every legal means available to us. Unless this is done the United States may soon reach the point of no return, at which a strong centralized and socialistic government becomes the master and not the servant of the states and of the people.

Among the illustrations of such usurpation of power by the United States Supreme Court are: *Commonwealth of Pennsylvania v. Nelson*,[3] decided April 2, 1956, in which the Smith Act prohibiting advocacy of the overthrow of the government by force and violence was held to supersede the Sedition Act of the State of Pennsylvania proscribing the same conduct; the case of *Slochower v. Board of Education*,[4] decided April 9, 1956, in which a provision of the charter of the City of New York requiring summary discharge of an employee claiming fifth amendment privilege was held invalid as denying due process of law to an employee who was discharged by the Board of Education of the City of New York for refusal to answer a congressional committee's question as to past communist membership; the case of *Amalgamated, etc., Employees v. Wisconsin Employment Relations Board*,[5] invalidating the Wisconsin Public Utility Anti-Strike Law, even though the privately owned utility had its business and activities

[1] 1 COOLEY, CONSTITUTIONAL LIMITATIONS 123-4 (8th ed. 1927).
[2] Brown v. Board of Education, 347 U.S. 483 (1954).
[3] 76 S. Ct. 477 (1956).
[4] 76 S. Ct. 637 (1956).
[5] 340 U.S. 383 (1951).

within a single state; the case of *Shelley v. Kraemer*,[6] holding invalid a restrictive covenant in a conveyance between individauls; and the public school segregation cases of *Brown v. Board of Education*,[7] decided May 17, 1954, and the further decision therein rendered May 31, 1955.[8]

We believe that one of the most far reaching usurpations of the power to amend the Constitution of the United States by judicial fiat is the *Brown* case in which all known principles of constitutional construction were abandoned in favor of an application of newly advanced theories of sociology and psychology used by the Supreme Court to overthrow more than thirty decisions of federal and state courts, including three decisions of the Supreme Court itself. In overruling *Gong Lum v. Rice*,[9] involving the constitutionality of Mississippi's public school segregation statute, which held that "the right and power of the state to regulate the method of providing for the education of its youth at public expense is clear . . . [and] the decision [as to segregation of the races in the public school] is within the discretion of the state in regulating its public schools and does not conflict with the fourteenth amendment," the Supreme Court of the United States has arrogated to itself the amending power reserved by the Constitution to the people, and has fashioned a weapon which is being used to take from the states those rights without which their sovereignty can no longer exist.

We believe that lawyers are justified in opposing these recent decisions of the Court which are in conflict with long established judicial precedent. That the Supreme Court itself recognizes the propriety of urging the setting aside of recent decisions of questionable nature is illustrated by the case of *Helvering v. Hallock*,[10] in which the Court said concerning the rule of stare decisis that whether or not a decision will be upheld or overruled "is a principle of policy and not a mechanical formula of adherence to the latest decision, however recent and questionable, when such adherence involves collision with a prior doctrine more embracing in its scope, intrinsically sounder and verified by experience." We believe that the above recent and questionable decisions of the Court should be overruled or modified by judicial decision or limited by legislation so as to maintain our constitutional form of government and to permit the states to exercise the jurisdiction reserved to them in the Constitution which has been theirs throughout the years.

Therefore, as representatives of the legal profession of Mississippi in convention assembled:

1. We call upon all citizens of Mississippi of every race, color and creed to work together for the common good. We appeal to them not to be provoked by agitators and trouble makers invading our state, to scrupulously refrain from disorder and lawless acts, to insure equal justice to all before the law, and to bear patiently their part of the cost and the labor required to provide and maintain equal facilities for both races in education and other phases of public service.

2. We commend the members of the United States Senate and of the United States House of Representatives who prepared, signed and presented the *Declaration of Constitutional Principles* to Congress and particularly the individual work which is being done by our Mississippi Senators and Representatives in Congress.

3. We commend the Mississippi Legislature and the Governor of Mississippi for the adoption of the Interposition Resolution, being Senate Concurrent Resolution No. 125 of the 1956 regular session, and for the creation of the Sovereignty Commission to act for Mississippi in this field.

---

[6]334 U.S. 1 (1947).
[7]347 U.S. 483 (1954).
[8]349 U.S. 294 (1955).
[9]275 U.S. 78 (1927).
[10]307 U.S. 106 (1940).

4. We urge the Congress to enact corrective legislation to restrict judicial violation to the Constitution. We commend the Mississippi delegation for its work in this regard and particularly endorse H. R. 9295 of the Eighty-Fourth Congress introduced by Congressman W. M. Colmer which provides:

> "That no Act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such Act operates, to the exclusion of all state laws on the same subject matter, unless such Act contains an express provision to that effect. No Act of Congress shall be construed as invalidating a provision of State law which would be valid in the absence of such Act unless there is a direct and positive conflict between an express provision of such Act and such provision of the State law so that the two cannot be reconciled or consistently stand together."

5. We recommend to the members of the Bench and Bar of Mississippi eternal vigilance in this matter, consistent study of the developing situation, persistent effort to acquaint others with our position and the reasons therefor and a rededication of ourselves to the constitutional premise that there is a field for the federal government and a field for the state government, both defined by the Constitution of the United States, which cannot be violated under the guise of social legislation without endangering the balance between federal and state power necessary for our form of government to continue.

6. We urge the members of the bar of the other states to rally together for the maintenance of the constitutional rights of the sovereign states and of individuals and to curb the usurpation of power by the Supreme Court of the United States which jeopardizes those checks and balances without which our cherished liberties will soon be lost to an ever hungry central government.

We recommend that copies of the foregoing resolution be sent to the members of Congress from Mississippi, to the attorney general of each state, to the President of the American Bar Association, to the Editor of the *American Bar Association Journal* and to the presidents of all state bar associations.

REPORT OF COMMITTEE UPON COORDINATION OF ACTIVITIES

The Committee upon Coordination of Activities of the Mississippi State Bar with the American Bar Association and Local and District Associations functioned this year as a new committee of the Mississippi State Bar. The letter of appointment from the President contained the following suggestions for the consideration of the Committee:

1. A survey to ascertain the existence of local and district associations, and the names of their present officers.

2. Encouragement of the formation of local and district associations, with the preparation of a form of by-laws or other basis of organization.

3. Preparation of suggestions, in cooperation with the Public Relations Committee, for programs, activities, etc.

4. Cooperation with the Committee on Professional Fees in connection with their work.

5. Obtaining and making available literature and suggestions from the American Bar Association and the Association of State Bar Presidents and Secretaries which will be of value to local associations.

6. Recommendations concerning recognition of local associations and forums

or other program participation of local associations at the annual meeting of the Mississippi State Bar.

A meeting was called early in December for initial discussions of the objectives and directives given the Committee. At this time the status and scope of local bar organizations in the state was studied from a compilation of available information which was both listed and graphically portrayed on maps showing organized counties.

A questionnaire seeking current information on local associations was mailed out. Thirty-four local associations were contacted and eighteen replies received. This was considered a good response, but at the same time emphasized the problem of getting and keeping a roster of local associations in an integrated bar in which local associations, as such, have no established place in the state organization.

At a second meeting the Committee considered a study of suggestions and proposals made in the initial discussions and adopted a long range plan of work to be presented to the Commissioners for approval. The central purpose of the plan is the strengthening and expansion of local bar organization and the establishment of a state organization of local bar associations within the Mississippi State Bar. The Committee realized that only the first steps could be taken this year, but hoped that the adoption of comprehensive plans would enable successor committees to work with continuity and purpose.

At the January 1956 meeting the Commissioners approved the Committee's recommendations, set out briefly as follows: Preparation of a local bar register, to be kept current, and published annually in the *Mississippi Lawyer*, giving officers, time and place of meetings and, with the consent of the local associations, an invitation to visiting lawyers to attend meetings; promotion of publicity on civic and public affairs projects undertaken by local associations and on community service activities of individual members; preparation of a proposed form of constitution and by-laws to be made available to local associations; efforts by Committee members through contacts with individual lawyers to encourage the grouping of counties into joint county associations where the number of lawyers in one county is too small for an organization; establishment of a conference of local bar associations to meet at the annual convention of the Mississippi State Bar; in cooperation with the Public Relations Committee, to compile a list of speakers in each Supreme Court District who may be called on to speak at local meetings and to make this list, together with other program material, available to local associations; to institute an annual district dinner meeting for the east and west parts of each Supreme Court District, with state officers invited, a good program, and reports of local association activities in the districts; and to act as a liaison group to present the work of other state committees at the local level, especially to cooperate with the Public Affairs and Professional Fees Committees in efforts to develop a strong local bar program throughout the state.

Several members of the Committee have reported efforts toward the organization of new local associations. The George County Bar Association was organized on March 23, 1956, with J. O. Moss, President; M. L. Malone, Vice-President, and Darwin M. Maples, Secretary-Treasurer.

Work on compiling the roster of local bar associations has been continued. The State Convention will furnish the opportunity to complete this information, after which it will be submitted for publication in the *Mississippi Lawyer*.

A model Constitution and By-Laws for Local Bar Associations was prepared and submitted to the Commissioners. This, in the form approved by the Commissioners, is now available to local associations and to lawyers desiring to organize new associations.

The Committee, being duly authorized by the Commissioners, has called a conference of local bar officials and representatives to meet on June 21, 1956, immediately preceding the State Convention, and has planned a program for this occasion and prepared a proposed form of by-laws for the permanent organization of a Local Bar Conference within the Mississippi State Bar. The purpose is to strengthen local bar associations by providing an association meeting each year at which problems can be discussed, unified action considered, recognition for accomplishments given, new associations welcomed, and fellowship encouraged; and further providing for a working organization which will coordinate the work of the various segments of the Bar by channeling information, arranging for the proposed annual district meetings and Local Bar Conference, and publicizing bar association activities throughout the state. A separate report from this Conference will be made at the State Convention.

REPORT OF THE LEGISLATIVE COMMITTEE (JR. & SR. BAR)

Your Legislative Committee, charged, in conjunction with the Study Committee, of which Judge W. N. Ethridge, Jr., is Chairman, by the President of the Bar, with the duties imposed pursuant to the provisions of Section 8709, Mississippi Code of 1942, submits this report of its activities during the year just completed:

The Legislative and Study Committees, through joint and cooperative effort, caused the eighteen bills which had been previously formulated by the latter committee, and approved by the Mississippi State Bar, to be introduced in the Mississippi House of Representatives during the regular 1956 session of the Mississippi Legislature. Judge Ethridge and his Committee were most diligent and effective in following up the sponsored legislation in their work with the subcommittees from the Judiciary Committees of the Legislature.

Much credit also goes to members of the Legislative Committee who were and are members of the Legislature, namely, Messrs. Wroten, Lumpkin, Rogers, and Winter, of the House, and Messrs. Gartin, Burgin and Gunn, of the Senate, for handling said bills in the legislative process. Invaluable assistance was rendered by Mr. Wroten in putting the bills in final form for action by the Legislature. The House and Senate Judiciary Committees were alert and helpful in the program.

Of the eighteen bills thus introduced, ten were passed by the Legislature, one of which, H.B. 82, was vetoed by the Governor. Judge Ethridge, in his Study Committee's Report, has given the Legislative history of the eighteen bills, and same need not be repeated here.

REPORT OF THE MEMORIAL COMMITTEE

Memorial Day Services were conducted on September 12, 1955, for thirty-four deceased members of the Mississippi State Bar. The Supreme Court Room was adorned with beautiful flowers. Judge Robert G. Gillespie responded to the Memorial Day address, which was rendered by the Chairman of the Memorial Committee, Honorable Gibson B. Witherspoon of Meridian. Honorable Frank B. Everett of Vicksburg read the Resolution. Honorable Will Davis represented the Memphis and Shelby County, Tennessee, Bar Association and gave a brief tribute to Lewis R. Featherstone, originally of Brookhaven, Mississippi. Miss Betty Long assisted Mrs. Alice Nevels in passing out copies of the Resolution to each of the families of the deceased members of the Bar.

MEMORIAL DAY RESOLUTION

"Lives of great men all remind us
We can make our lives sublime.
And departing, leave behind us,
Footprints on the sands of time.
Footprints that perhaps another,
Sailing o'er life's solemn main,
A forlorn and shipwrecked brother,
Seeing, shall take heart again."

During the past year, thirty-four of our most respected and beloved members of bench and bar have responded to the highest summons. The Mississippi Supreme Court has invited the Mississippi State Bar to join with it today in honoring the fond memory of these members of our Bar, who have meant so much to each of us. Responding to this gracious invitation, we join today in paying humble tribute to the hallowed memory of each of these departed members of our Bar:

Hon. William W. Baldwin, Madison
Hon. Fred M. Belk, Holly Springs
Hon. Wiley A. Blair, Tupelo
Hon. E. F. Brennan, Brookhaven
Hon. S. C. Broom, Biloxi
Hon. E. F. Brennan, Brookhaven
Hon. Frank S. Cannon, Clinton
Hon. J. L. Heiss, Gulfport
Hon. H. Lee Herring, Ruleville
Hon. H. T. Holmes, Winona
Hon. D. W. Houston, Sr., Aberdeen
Hon. William F. Jackson (Judge), McComb
Hon. H. F. Jones, Belzoni
Hon. J. T. McDonald, Meridian
Hon. K. A. Carney, Clarksdale
Hon. Frank Clark, Waynesboro
Hon. A. W. Cooper, Forest
Hon. R. D. Cooper, Meridian
Hon. W. U. Corley, Collins
Hon. W. H. Davis, Jackson, Miss. & St. Petersburg, Florida
Hon. Charles F. Engle, Natchez
Hon. Lewis R. Featherstone, Brookhaven
Hon. Harold E. Finch, Mississippi City
Hon. J. Sidney Finch, Booneville
Hon. Charles Lee McGlohn, West Point
Hon. W. G. McLain, McComb
Hon. Albert T. Patterson, Calhoun City
Hon. E. B. Patterson, Monticello
Hon. John W. Savage, Gulfport
Hon. J. Eugene Seale, Meridian
Hon. Alfred Holt Stone, Jackson
Hon. L. A. Whittington, Natchez
Hon. John A. Yeager, Lumberton

Our departed friends more than justified the great trust imposed upon each member of our Bar. To our members who remain there rests an obligation to maintain our high ideals, which our departed friends always exemplified.

We sincerely share with their loved ones and friends the deep sorrow of their passing.

NOW, THEREFORE, BE IT RESOLVED by the duly designated committee of the Mississippi State Bar, in Memorial Session officially assembled before the Supreme Court of the State of Mississippi on this the 12th day of September, A.D., 1955, that we individually and collectively join the loved ones and friends in mourning the passing of our departed members of the Bar and be ever mindful of our united desire to perpetuate their loving memory.

BE IT FURTHER RESOLVED that we hereby express to the members of the families of our deceased friends our esteem, our sorrow and our regrets here given in solemn assembly. That copies of this resolution be transmitted to each of them.

BE IT FURTHER RESOLVED that a true copy of this resolution be placed in the minutes of the Supreme Court of Mississippi and on the ineffaceable records of the Mississippi State Bar and be published in the *Mississippi Law Journal.*

REPORT OF THE COMMITTEE ON MISSISSIPPI LAW INSTITUTE

At the request of President Satterfield, this committee was appointed to consider the factors involved in a complete study and recommendation as to whether or not there should be organized in Mississippi an organization similar to the Louisiana State Law Institute. The Committee, after making a thorough study and examination of the Louisiana Law Institute and other similar organizations, is of the opinion and recommends that there be organized in the State of Mississippi an organization similar to the Louisiana State Law Institute, and that the same be organized under the sponsorship of the State Bar Association, though not as a sub-division thereof. It is the opinion of the Committee that the organization would be more effective if it were entirely independent of the State Bar Association.

Function of Law Institute

The general purpose, duties and functions of the Louisiana Law Institute are to consider needed improvements in procedural and substantive law, to cooperate with the American Law Institute, commissioners for uniform legislation, bar associations and other learned societies, to receive and consider suggestions from judges, public officials, lawyers, and others; to eliminate antiquated and inequitable rules of law, to organize and conduct an annual meeting in the state for the scholarly discussion of current problems in State law, bringing together representatives of the legislature, practicing attorneys, members of the bench and bar, and the public generally; and finally, based upon the foregoing, to make recommendations to the legislature in the form of proposed bills to carry out the recommendations.

Insofar as the above is concerned, it is the opinion of this Committee that the purpose, duties and function of the Mississippi organization should be identical with the above.

Accomplishments of the Louisiana Institute

As compared with the Mississippi Code Study Committee the proposed Law Institute would have a much broader scope and outlook than does the Code Study Committee. It is the opinion of the Committee that the purposes and functions of the two would in no wise conflict. This can be best pointed out by telling some of the work of the Louisiana Law Institute.

Whereas the Code Study committee has been primarily interested in changing the wording of specific sections of the Mississippi Code, the actual work of the Louisiana Law Institute has been much broader—revising, compiling and coordinating whole sections of the law such as the law of estates, executors and administrators.

Compilation of the Civil Code:

The Louisiana Law Institute complied the entire text of all of the Civil Codes of Louisiana and the Code Napoleon, showing the text of each article of each code and all subsequent amendments with cross references.

Compilation of Statutes on Civil Law Subjects:

A compilation of statutes relating to the civil codes was prepared by the Louisiana Law Institute, being completed in 1942, making all of the statutes available in one book in scientific order and arrangement.

Translation of Planiol:

This work, being the standard commentary on the civil law in France, was translated by the law institute and made available for study by the attorneys in Louisiana.

Model Non-Profit Corporation Statute:

The Institute prepared a model non-profit corporation statute, adopted by the Louisiana Legislature in 1948 in discharging its duties as an advisory law revision and law reform agency.

Criminal Code:

By mandate of the Legislature in 1940 the Institute was instructed to prepare a draft or projet codifying the substantative criminal law of Louisiana. This was prepared in a two-year period, was presented to the Legislature and passed, and is now published in a separate volume entitled, "Criminal Code of Louisiana." This work has received extensive commendation by other states attempting to codify their criminal law, as well as by the American Law Institute which is presently working upon a model criminal code.

Revised Statutes:

In 1942 the Institute began working upon the most comprehensive major project of revising the general statutes of the state which culminated in the enactment of the Louisiana Revised Statutes in the law in March, 1950. In 1948 the Legislature mandated the Institute to prepare projets for the Louisiana Civil Code and Code of Practice. This work has been completed, as well as a revision of the Constitution projet and a continuous statutory revision. The Institute is at present compiling, revising and organizing in an orderly fashion the Louisiana Probate Code, including substantive and abjective law.

The Committee appends to this report a set of proposed by-laws, which it hopes may be of value in the organization of the proposed Law Institute, if approved by the State Bar, and recommends that the State Bar go on record as sponsoring an organization to be known as the Mississippi State Law Institute with a view of having the Institute finally sponsored by the Legislature as it is in Louisiana, with a permanent staff and administrative head.

PROPOSED CONSTITUTION

Creation and functions:

The Mississippi State Law Institute, organized under the sponsorship of the Mississippi State Bar Association as a non-profit beneficent corporation, is chartered, created and organized as a law revision commission, law reform agency and law research agency with the purpose of lending aid and assistance to the Legislature and Courts of the State of Mississippi.

Council; membership; terms; vacancies:

The governing body of the Mississippi State Law Institute shall be a council composed of ex-officio members and elected members as follows:

I. Members ex-officio

1. The attorney general of the State of Mississippi.
2. The executive secretary to the Governor.
3. The chairman of each of the judiciary committees of the senate and house of representatives.
4. The president of the Mississippi State Bar Association.
5. The dean of the Jackson School of Law.

6. The dean of the Mississippi State University Law School.
7. The officers of the Institute.
8. Any Mississippi members on the council of the American Law Institute.
9. Any Mississippi members of the Board of Governors of the American Bar Association.
10. Any Mississippi members of the House of Delegates of the American Bar Association.
11. The chairman of the Junior Bar Section of the Mississippi State Bar Association.

II. The elected members of the council shall number twenty-eight. Of this number, twenty-four shall be appointed in the following manner:

1. The Supreme Court of Mississippi shall designate one of the justices of that court as a member.
2. The judges of the Chancery Courts shall select one Chancery Judge as a member of the council.
3. The judges of the Circuit Courts of the State of Mississippi shall selcct one Circuit Judge as a member of the council.
4. The judges of the County Courts of the State shall select one Judge of a county court as a member.
5. One federal judge from the Southern or Northern Districts of Mississippi shall be designated by the Mississippi federal judges as a member.
6. Three members of the faculty of Mississippi State University Law School shall be appointed by the Dean of the School of Law of the University of Mississippi.
7. Three members of the faculty of the Jackson School of Law shall be appointed by the Dean of the Jackson School of Law.
8. Seven practicing attorneys shall be appointed by the president of the State Bar Association.
9. Seven practicing attorneys shall be appointed by the Dean of the University of Mississippi School of Law.

All vacancies in the elected membership on the council whether created by death, resignation or otherwise, shall be filled by the council under rules to be adopted by the council. Vacancies occurring through expiration of the terms of office as heretofore established shall be filled by election of the council for a term of four years under rules to be adopted by the council. Members of the council shall be eligible for re-election. Ex-officio members of the council shall hold their positions during their respective terms of office.

Plans of membership; compensation of members of council:

The council and other persons of the Mississippi State Law Institute are empowered to adopt a plan or plans of membership so designed as to encourage and invite the cooperation of all members of the legal profession in the work of the Institute. The members of the council shall serve without any compensation for services as such. However, the council may fix and pay reasonable compensation to the director of the Institute, and honoraria to members of the council who perform professional service for the Institute, authorized by the council of the Institute. Such employment or payment shall not be deemed a violation of any criminal law punishing the holding of more than one public office or employment in Mississippi.

General purpose; duties:

The general purposes for which the Mississippi State Law Institute is formed are to promote and encourage the clarification and simplification of the law of Mississippi and its better adaptation to present social needs; to secure the better administration of justice and to carry on scholarly legal research and scientific legal work. To that end it shall be the duty of the Mississippi State Law Institute:

1. To consider needed improvements in both substantive and adjective law and to make recommendations concerning the same to the legislature.

2. To examine and study the civil law of Mississippi and the Mississippi jurisprudence and statutes of the state with a view of discovering defects and inequities and of recommending needed reforms.

3. To cooperate with the American Law Institute, the Commissioners for the Promotion of Uniformity of Legislation in the United States, bar associations and other learned societies and bodies by receiving, considering and making reports on proposed changes in the law recommended by any such body.

4. To receive and consider suggestions from judges, justices, public officials, lawyers and the public generally as to defects and anachronisms in the law.

5. To recommend from time to time such changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law, and to bring the law of the state, both civil and criminal, into harmony with modern conditions.

6. To render biennial reports to the legislature, and if it deems advisable to accompany its reports with proposed bills to carry out any of its recommendations.

7. To recommend the repeal of obsolete articles in the Mississippi Code and to suggest needed amendments, additions and repeals.

8. To organize and conduct an annual meeting within the state for scholarly discussions of current problems in Mississippi law, bringing together representatives of the legislature, practicing attorneys, members of the bench and bar and representatives of the law teaching profession.

PROPOSED BY-LAWS

I. General Membership.

(a) There shall be five classes of members of the Mississippi State Law Institute: active, inactive, ex-officio, junior, and honorary.

Except as otherwise provided herein:

1. Active membership shall consist of the members of the Council and 150 lawyers licensed to practice in the State of Mississippi and who have practiced for at least ten years. They shall be elected by the Council, on the recommendation of the Membership Committee. The Council may, from time to time, elect lawyers, otherwise qualified, to membership, provided that in no case shall the total active membership exceed 175. Any member failing to attend three consecutive meetings shall thereby forfeit active membership, unless excused by the Council.

2. The inactive membership shall consist of those lawyers who, while active members, have retired from the active practice of law.

3. The ex-officio membership shall consist of all judges of the Supreme Court, Chancery Courts and Circuit Courts and County Courts of Mississippi, and all judges of Federal Courts located or sitting in Mississippi who are Mississippi citizens, all

members of the law faculties of the University of Mississippi and the Jackson School of Law, and all lawyers licensed to practice law in this state who are members of the Legislature, during their respective terms of office.

4. The Council, upon nomination of the membership committee, may elect as junior members not exceeding fifty lawyers licensed to practice law in this state, who have engaged in the practice of law for not less than three nor more than ten years. It may also elect annually as additional junior members, one honor graduate licensed to practice law from each of the above named law schools, upon designation of the respective deans thereof.

Whenever a junior member shall have practiced law for ten years, and has faithfully served this Institute, he may be elected as an active member of the Institute in addition to the number specified in Paragraph I (a) above.

5. The Council may elect eminent legal scholars of this or any other state or country to honorary membership in the Institute.

(b) The Council may elect as emeriti members not exceeding five citizens of Mississippi licensed to practice law in this state, who have rendered distinguished service to the Institute and to the profession of law.

The Council shall invite to its meetings the officers of the Junior Bar Section to be designated annually.

II. Officers.

The officers of the Institute shall be a President, three Vice-Presidents, a Secretary, an Assistant Secretary, a Treasurer, a Director, and an Assistant Director. They shall be elected by the Council and shall serve for one year and until their successors are elected. They shall be all ex-officio members of the Council. All officers shall serve without pay.

(a) The President shall preside at all meetings of the Council and of the Institute, and shall be an ex-officio member of all committees.

(b) The Vice-Presidents in the order of seniority, shall act for the President in his absence.

(c) The Secretary shall keep all records of the Institute and shall be an ex-officio member of all committees.

(d) The Treasurer shall have custody of all funds of the Institute, shall sign all checks in its name, and keep all financial records of the Institute. Checks shall be countersigned by either the President, the First Vice-President, the Secretary or Assistant Secretary, or the Director. Checks for budgeted expenditures shall be drawn on the requisition or request of the Director, and checks for non-budgeted expenditures must be supported by a certified copy of a resolution of the Executive Committee authorizing such expenditures.

(e) The Director of the Institute shall have the active management of the Institute, under the direction of the Council. He shall be an ex-officio member of all the committees. His compensation shall be fixed by the Council.

III. Committees.

There shall be an executive committee, standing committees and special committees, composed and with duties as follows:

(a) The Executive Committee shall have the power to transact all business of the Institute in intervals between meetings of the Council; except matters of policy, which must be determined by the Council.

The Executive Committee shall consist of the President, Director, Secretary, Treasurer, and the chairman of the standing committees of the Institute.

(b) The standing committees of the Institute shall be: The Program and Work Committee, the Membership and Nominating Committee, and the Semantics, Style and Publications Committee.

The chairmen of the standing committees shall be selected from the members of the Council of the Institute, and members thereof from the Council or general membership. All standing committee appointments shall be made by the President with the approval of the Council, which may be obtained by mail.

Standing committees shall be appointed annually, immediately following the annual meeting of the Council, and shall serve until their successors are appointed.

(c) The Program and Work Committee shall consider the work to be undertaken by the Institute and make its recommendations to the Council from time to time as the circumstances require. It shall prepare the program for the annual meeting.

(d) The Membership and Nominating Committee shall nominate and recommend for election by the Council, those proposed for membership in the several classes of membership in the Institute. It shall also nominate and recommend for election by the Council, the officers of the Institute and members of the Council, either upon expiration of their respective terms of office, or upon the occurrence of vacancies therein.

(e) The Semantics, Style and Publications Committee shall consider all questions of semantics and style referred to it by the Council, and shall review and make its recommendations to the Council concerning all projets prepared by the Council for submission to the Legislature, and shall also make recommendations to the Council from time to time concerning publications to be prepared and issued by the Institute and shall supervise the printing and distribution of all publications of the Institute.

(f) Special committees shall be appointed and perform such duties as may be determined and authorized by the Council, and the members thereof shall be appointed when and for such terms as the Council may determine.

The chairmen and members of special committees shall be selected by the President, with the approval of the Executive Committee, unless otherwise provided by the Council, and shall be selected either from the Council or from the general membership.

IV. Meetings.

(a) The Institute shall meet annually at such time and place as the Council may determine.

Special meetings of the Institute may be called by the President and must be called on petition by any ten members addressed to the President or in his absence to any Vice-President of the Institute. Fifteen days' written notice of all special meetings shall be given to members.

(b) The annual meeting of the Council for the election of officers and members of the Council shall be held annually between October 1 and December 10 on such date as the Council may determine. Special meetings of the Council shall be held on ten days' written notice, upon the call of the President, or of any five members of the Council.

(c) Vacancies in any office or on the Council occurring between annual meetings may be filled by election at any meeting of the Council, special or annual.

(d) Fifteen members shall constitute a quorum of the Council and five members shall constitute a quorum of the Executive Committee.

(e) Members of the Council shall be elected from the same source from which originally appointed.

V. Amendments.

Amendments of these articles may be made at any meeting of the Council, regular or special, upon ten days' written notice to the members of the Council, setting forth the subject matter of the proposed amendment, provided that any amendment may be proposed, submitted, and adopted by the unanimous vote of those present at the meeting.

REPORT OF THE LAW JOURNAL COMMITTEE

It was deemed advisable to hold the meeting of the Law Journal Committee at the University of Mississippi in order that the members of the committee could inspect the *Law Journal* facilities and talk with the staff and faculty advisers. In addition to other things, your committee learned much about the tremendous amount of study, work and preparation that is done by the members of the *Law Journal* Staff and the faculty advisers on each issue. It is evident that in no other way except through the efforts of the law students and their advisers could such a publication be so well and economically prepared. The Bar is fortunate in having such skilled men working practically for the joy of accomplishment. The committee is of the opinion that the work of the *Mississippi Law Journal,* as an organ of the Mississippi State Bar Association, is being carried on in an exemplary manner. Our *Journal* has grown in stature and has taken its rightful place among the leading Law Journals of the country. It is the consensus of the committee that the *Journal* is used more and more by members of the Bar.

It is felt, however, that the Bar Association should make every reasonable effort to increase appropriations for the *Law Journal* and thus insure its increased value to the members of the Bar. Specifically, additional financial assistance would enable the Law Journal to accomplish the following:

1. Publish extra issues ordinarily not included within the annual appropriation. These issues could be made symposia issues, which would in effect focus the attention of the Bar on one given topic of law. The purpose of each symposium issue would be to publish a comprehensive survey of a given area of law as it stands in the State of Mississippi.

2. The depth of the *Journal* would be increased in that more material could be published as student notes and comments. Additionally, it scope in coverage with respect to leading articles would be substantially enhanced.

3. The burden of proof-reading could be removed from the *Law Journal* Staff and given to the contract printer. Since proof-reading is an integral part of publication and is extremely time-consuming, the Staff members should be released for work of a creative nature.

The committee recommends that the Staff of the *Law Journal* should meet with the Budget and Finance Committee of the Bar Association, at least a month before the annual meeting of the Bar Association, to present a budget and to discuss the needs for the continued growth and publication of the Journal.

REPORT OF THE EDITORIAL BOARD OF THE MISSISSIPPI LAW JOURNAL

General

The publication of the October 1956 issue of the *Mississippi Law Journal* will mark the completion of the twenty-seventh volume and the *Journal* will then commence its twenty-eighth year of uninterrupted publication. At the present time the *Journal* publishes four issues annually and has a circulation of approximately 2,300 copies per issue. Except for numerous isolated purchasers, our subscribers include members of the Mississippi State Bar, students of the University of Mississippi School of Law, and libraries throughout the United States and the rest of the world. At present the international subscribers include individuals and institutions in England, Saudi Arabia, South Africa, Argentina, Australia, Belgium, Canada, Germany, Mexico, the Philippine Islands, Puerto Rico, and Hawaii. The subscription rate is $4.00 per year, and separate copies may be purchased for $1.50. The *Journal* is published by Ole Miss Press, Oxford, Mississippi.

Staff

Each issue of the *Journal* is edited by a student editor with the assistance of an editorial board composed of selected students in the School of Law. At the present time the board is composed of thirteen students selected by the faculty of the School of Law on the basis of scholarship and writing ability. All work is done under the supervision of the Faculty Advisor, who is in turn responsible to the Dean of the School of Law.

During the year which has elapsed since the last report, many changes have been made in the manner of selection of *Journal* members and in the assignment of duties to the members of the editorial board. In order to improve the quality of student writing and student editorial work, the *Journal* now reqiures prospective members not only to hold a high scholastic average in the School of Law, but also to submit an acceptable Casenote prior to admission to the *Journal.*

Because of the rapid turnover in personnel, one of the problems which continually faces us is the maintenance of a well-trained staff capable of preserving that continuity of policy which is essential to proper operation. Two of the more important steps which have been taken recently to cope with this probem have been the appointment of an assistant editor and an assistant business manager at the same time as the appointment of the editor and business manager. These students work closely with, and assist in the performance of all the duties of the editor and business manager, in order to better prepare themselves to assume those positions. We believe that recent issues of the *Journal* illustrate the improvements in student writing and editorial work which have resulted from these and other staff changes.

Southern Law Review Conference

On April 20 and 21 of this year, the Faculty Advisor, Editor, Assistant Editor, and Assistant Business Manager attended and, as in the past, participated actively in the proceedings of the Tenth Annual Southern Law Review Conference held at Duke University. The *Journal* has endeavored to maintain its position of leadership in the Conference, for the Conference discussions are valuable aids in improving the quality of the *Journal.*

Future Plans

The *Journal* is particularly proud of the improvements which have been made during the last year in its technical accuracy. We believe that the last four issues have been substantially free of errors in grammar, punctuation and typing, and we pledge

ourselves to maintain this standard. As an additional improvement, tentative consideration is being given to changes in the type of paper and in the type and size of print used in the *Journal*. These changes, if made, will not substantially increase the cost of publishing the *Journal*. They will be designed solely to improve its readability and permanence. No departure from the traditionally conservative format of the *Journal* is contemplated, and no change at all will be made in the *Journal* cover.

In conjunction with the technical improvements which have been made and are being planned, we of the *Journal* are constantly seeking to secure more and better articles of genuine value to the Mississippi Bar. We fully realize that our primary purpose is service to the Bar, and we pledge our continued efforts to publish material which will serve this purpose.

In the past, issues of the *Journal* devoted exclusively to a particular area of law have had a good reception. If financially possible, the *Journal* plans in the future to publish each year one additional issue devoted to a single legal subject of especial interest to Mississippi lawyers. We believe that by devoting these symposia to particular Mississippi legal problems, the *Journal* can perform a valuable service to the Bar.

The *Journal* plans to continue its program of reprinting early volumes. Volume I has been recenty reprinted, and sales of it thus far have been very good. We hope in the near future to be in a position financially to reprint Volume II.

The Journal and the Bar

This report cannot overemphasize the desire of the Faculty of the School of Law and the *Journal* Staff to make the *Journal* a constantly improving instrument of service to this Bar. All of our plans for the future are designed to accomplish this purpose. We pledge to you our best efforts, and we earnestly solicit your criticism of the *Journal* and suggestions concerning subjects to be treated in the *Journal*. Particularly do we invite each member of the Bar to submit for our consideration material for publication. It is your publication, and we hope that you will work with us to make it of the greatest possible value to the Mississippi Bar.

EXHIBIT "A" TO THE LAW JOURNAL REPORT
FINANCIAL REPORT OF THE MISSISSIPPI LAW JOURNAL

June 1, 1955-May 31, 1956

Receipts

Balance Remaining from 1954-55 Bar Appropriation	$0,000.00
Balance in Bank, May 31, 1955	2,096.89
Appropriation, Mississippi State Bar	4,000.00
Sale of Subscriptions	707.50
Sale of Back Issues	96.25
Sale of Volume I	916.75
Sale of Advertising	1,135.00
Sale of Index	8.00
Law School Student Assessment	388.00
Miscellaneous Income	28.32
Total Receipts	$9,376.71

Disbursements

Printing:	
Volume XXVI, No. 4	$1,198.41
Volume XXVII, No. 1	963.87

Volume XXVII, No. 2	963.87	
Volume XXVII, No. 3	1,167.80	
Total Printing		$4,293.95
Postage and Box Rent		237.00
Stationery and Office Supplies		180.63
Telephone Expense		109.15
Addressograph Expense — Mailing List		135.89
Page in Yearbook		50.00
Southern Law Review Conference Expense		278.08
Bar Convention Expense		80.00
Printing of Volume I		2,167.50
Law Journal Certificates		52.43
Miscellaneous Expenses		68.76
Total Disbursements		$7,653.39
Cash on Hand, May 31, 1956		1,723.32
		$9,376.71

EXHIBIT "B" TO THE LAW JOURNAL REPORT
PROPOSED BUDGET FOR THE MISSISSIPPI LAW JOURNAL

Receipts

Balance in Bank, May 31, 1956	$1,723.32
Appropriation, Mississippi State Bar	4,500.00
Sale of Subscriptions	400.00
Sale of Back Issues	100.00
Sale of Volume I	200.00
Sale of Advertising	1,250.00
Law School Student Assessment	240.00
Miscellaneous Income	25.00
Total Receipts	$8,438.32

Disbursements

Printing:		
Volume XXVII, No. 4	$1,300.00	
Volume XXVIII, No. 1	1,300.00	
Volume XXVIII, No. 2	1,300.00	
Volume XXVIII, No. 3	1,300.00	
Volume XXVIII, No. 4 (Symposium Issue)	1,500.00	
Total Printing		$6,700.00
Postage and Box Rent		240.00
Stationery and Office Supplies		180.00
Telephone Expense		110.00
Addressograph Expense — Mailing List		175.00
Page in Yearbook		50.00
Miscellaneous Expenses		75.00
Total Disbursements		$7,530.00
Cash on Hand, May 31, 1957 (Estimated)		908.32
		$8,438.32

REPORT OF PROCEDURAL REFORM COMMITTEE

Your committee had introduced in the Mississippi Senate the bill to establish a Judicial Council and to vest the rule-making power in the Supreme Court, but this bill died in committee. This is the same bill that has been approved by the Mississippi State Bar unanimously for the last five years. The bill as introduced is quoted below and is hereby made a part of this report:

"AN ACT VESTING IN THE SUPREME COURT OF MISSISSIPPI THE POWER TO PRESCRIBE FROM TIME TO TIME GENERAL RULES OF PLEADING, PRACTICE, WRITS, PROCESS AND PROCEDURE IN CIVIL CASES AT LAW AND IN EQUITY IN THE CHANCERY, CIRCUIT, AND COUNTY COURTS OF THIS STATE: AND PROVIDING FOR SUBMISSION OF THE RULES SO PRESCRIBED TO THE LEGISLATURE FOR REJECTION, MODIFICATION OR ADDITION THERETO.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. That the Supreme Court of the State of Mississippi is hereby authorized to prescribe, from time to time, general rules of pleading, practice, writs, process and procedure with respect to proceedings in civil cases at law and in equity in the Chancery, Circuit and County courts of this State, but without abridging the substantive law, or the right of trial by jury, and without affecting the respective jurisdictions of the aforesaid courts as the same now exist. And the said authority shall be subject to the further conditions and limitations hereinafter mentioned.

SECTION 2. The rules aforesaid must first be proposed and recommended by the Advisory Committee herein created or by a majority of the entire membership thereof. When so proposed and recommended, the Supreme Court may revise, amend, abridge and rearrange the rules so proposed and recommended, or may reject any proposed rule, but shall not prescribe any rule distinctly additional to those so proposed and recommended save with the approval of the Advisory Committee, or by a majority of the entire membership of said Advisory Committee thereof first had and obtained.

SECTION 3. Said rules shall not take effect until they shall have been reported to the legislature by the filing of a copy thereof by the Chief Justice of the Supreme Court with the Secretary of the Senate and the Clerk of the House of Representatives at a regular session thereof, during which session the legislature may, by statutory enactment, (1) reject any rule in its entirety, or (2) may modify any rule, or (3) may enact additions thereto. Such rules as may have been so reported to the legislature at least thirty (30) days prior to the final adjournment thereof, together with any modification and additions thereto made by it, except such rules as may be rejected by the legislature, shall, on the expiration of six (6) months after the final adjournment of the legislature, have the full force and effect of statutes, and thereafter all laws in conflict therewith shall be considered as having been repealed. The rules not rejected by the legislature, together with the modifications thereof and additions thereto, if any, as made by the legislature, shall be consecutively grouped and published in and as part of, the session laws enacted at the said regular session.

SECTION 4. The Advisory Committee hereby created shall consist of twenty-one (21) members selected and appointed as follows:

(1) Three (3) circuit judges, two chancellors and one county judge to be designated and appointed by the Supreme Court;

(2) Nine (9) attorneys-at-law of not less than five years experience as active and successful practitioners in the State or Federal Courts in Mississippi, three of whom are to be chosen from each of the Supreme Court districts of the state. The nine (9)

members of this group shall be designated and appointed by the President of the Mississippi State Bar and the Chairman of the Junior Bar Section of the Mississippi State Bar, acting jointly. All appointments of all the members of this group shall be subject, however, to confirmation or rejection by the Commissioners of the Mississippi State Bar at their next regular or special meeting held after the date of such appointments.

(3) Six (6) representative citizens of the state, not members of the bar, who are to be selected and appointed by the Governor. Vacancies among the members shall be filled by those authorized to make appointment in the particular group in which the vacancy occurs, such appointment to fill a vacancy for the unexpired term. Two (2) members of the first group are to be appointed for a term of two years, two members are to be appointed for a term of four years and two members are to be appointed for a term of six years. Of the second group, three members, one from each Supreme Court district of the state, shall be appointed for term of two years; three shall be appointed, one from each Supreme Court district, for a term of four years; and three shall be appointed, one from each Supreme Court district, for a term of six years. Of the third group, two shall be appointed for a term of two years, two shall be appointed for a term of four years and two shall be appointed for a term of six years. All appointments made for a full term thereafter shall be made for a term of six years.

SECTION 5. The Advisory Committee shall select its Chairman, Vice-Chairman, and a Secretary, and may prescribe the duties of the Secretary and fix his compensation not to exceed One Hundred Fifty Dollars ($150.00) per month, in addition to which he shall be allowed not exceeding One Hundred Fifty Dollars ($150.00) per month for stenographer's hire. The Committee may adopt such rules, including the setting up of sub-committees, and for public hearings, as will best promote the efficiency and dispatch of its work. The committee may provide for the printing of such reports or other documents as it shall deem necessary. The members of the Advisory Committee shall be reimbursed for their traveling and maintenance expenses in attending the meetings of the Committee, these and the other expenses herein mentioned to be paid on requisitions approved by the Chairman and Secretary of the Committee, for which a sufficient appropriation shall be made by the legislature.

SECTION 6. This act shall take effect and be in force from and after its passage."

REPORT OF THE COMMITTEE ON PROFESSIONAL FEES SUGGESTED BASIS OF FEE COMPUTATION

FOREWORD

This work is tendered for your consideration as the best effort of your Committee on Professional Fees. It is offered in humility and with deep consciousness of its insufficiency. The sole compensation which your committee hopes to receive for its labors is your interest, comment and criticism.

Note that this manual is not a "minimum" fee schedule. Being acutely reminded of the criticisms to which minimum fee schedules are rightfully subject, your committee in its efforts has remained faithful to the chosen title offering only a suggested basis of fee construction.

It may well be that many of you have no need for these suggestions, yet it is equally undeniable that there are members of your local bar who are in dire need of assistance in this regard. Their lack of knowledge results in the possible criticism that your fees are unreasonable. Again, although we of the bar know of the cruel inac-

curacy of the assumption, none the less, we also know that the laity fixes our contemporary's standing by his economic success. Whatever your comparative standing may be, enlightenment of the remaining members of the bar will result in your enrichment in professional quality.

INTRODUCTION

The title of this work was not a random choice. It was considered that the title, "Suggested Basis of Fee Computation," most clearly defined the committee's efforts and intent. After careful deliberation, your committee deems it to the best interest of the Mississippi State Bar to recommend the adoption of this or a similar schedule, the adoption to be without prejudice to the modification thereof by local bar associations to conform the same to local conditions. In its work the committee has attempted to direct attention to a logical basis of fee computation. Where found, specific itemizations have been revised so as to suggest and represent the usual and customary minimum charges under current conditions.

Traditionally, members of the bar dislike accounting for their time, even unto themselves. Yet, your committee stands convinced that herein lies our failure; we are our own greatest enemy. You are urged to analyze your costs of doing business as an aid in arriving at fair fees and to keep account of the time spent on items of service. It is generally agreed that a lawyer can ordinarily base his computations on charging for five hours per day per five-day week. If each lawyer will add the average monthly overhead to the reasonable income which he should receive for the services he renders and divide this amount by 100, he can approximate a fair basis for an hourly charge. It is believed that in making this suggestion your committee has not in the least encroached upon the individuality or professional freedom of any member of the bar.

I. General Factors of Fee Determination

A. Wherever possible, fees should be computed on an hourly basis. However, the time element should not be the sole factor. In determining the amount of the fee, it is proper to consider:

(1) The time and labor required; and

(2) The novelty and difficulty of the question involved; and

(3) The skill requisite to properly conduct the case; and

(4) Acceptance of employment as preventing appearance for others in particular matter or case, or loss of other employment while engaged, or antagonisms with other clients; and

(5) The customary charges of the Bar for similar services; and

(6) Amount involved in the controversy and benefits resulting to clients from services; and

(7) The contingency or the certainty of the compensation; and

(8) The character of the employment, whether casual or for an established and constant client.

No one of these considerations, in itself, is controlling. They are guides in ascertaining the real services.

In fixing fees, lawyers should avoid charges which overestimate their advice and services, as well as those which undervalue them. A client's ability to pay cannot justify a charge in excess of the value of the service, though his poverty may require a less charge, or even none at all. The reasonable requests of brother lawyers and of their widows and orphans without ample means should receive special and kindly consideration.

B. *Computation of Basic Time Charge*:

(1) To determine hourly charge the following steps should be taken:

(a) Compute average "overhead" for the month. (Rent, lights, salaries, stationery, telephone tolls and all other office expense.)

(b) Estimate amount of expected monthly income.

(c) Computed monthly "overhead" is added to expected monthly income and this total divided by 100. The result is the approximate hourly charge.

Comment: The figure 100 is the product of multiplying an average professional day of 5 effective hours by 5 effective days by the 4 weeks of the month. As observed in the introductory above these figures are conceded to be average.

(2) Example: (Individual Practitioner)

Monthly overhead		$ 250.00
Expected monthly income		1,000.00
	100	$1,250.00
		$12.50 hourly charge

II. General Services (Office Matters)

A. *Advice and Consultation*:

(1) By telephone—at least	$ 5.00
(2) In Office	5.00
(3) Out of Office	10.00

Note: The above suggestions are intended to apply to brief conferences on relatively simple matters, requiring no research. If time is involved or the matter complicated additional charges are justified.

Suggestive Comment: Telephone and street corner conference clients present a real problem to the practitioner. A statement of fees resulting from such a conference would no doubt be received with great resentment. Yet, failure to charge for opinions rendered cheapen the profession upon the theory that subconsciously the client regards the advice as "worth just as much as it cost." Your committee recommends that wherever possible the lawyer should tactfully steer the conference into a dignified plane, receiving the inquiry with courtesy and understanding of the complexity of the problem. Thereupon, in respect to the seriousness of the occasion, move the conference to your office or suggest that time is needed for deliberation and arranging a conference at client's convenience. Result: Client has been received with dignity, consideration has been given him, the profession respected and the fee bill earned.

B. *Contract of Sale or Bill of Sale*: $ 10.00
(Where value of property is in excess of $1,000.00, add ¼ of 1% of value of property involved.)

C. *Wills*:

(1) Simple Will when value of Estate is under $5,000.00	25.00
(2) Simple Will when value is over $5,000.00	35.00
(3) Other or lengthy without trust provisions and assets under $5,000.00	40.00
(4) Other or lengthy with trust provisions and assets under $5,000.00	75.00
(5) Codicil	10.00

(Where value over $5,000.00, add one-fourth of one per cent of value in excess of said amount.)

D. *Written Opinions*: 25.00

E. *Simple Instruments*: (Preparation not requiring much time); (Such as Power of Attorney, assignments, releases, renewal agreements, notes, etc., where value of property involved is under $2,500.00. If in excess add $1.00 per thousand). 10.00

F. *Articles of Partnership*:
(1) Value involved under $5,000.00 50.00
(Add ½ of 1% for each $1,000.00 in excess of $5,000.00 involved)
(2) Dissolution 35.00

G. *Lease Assignments*:
(1) Residence property 15.00
(2) Business property (Consideration less than $2,500.00) 25.00
(Consideration in excess of $2,500.00 add $2.00 for each $1,000.00)
(3) Farm Lease 20.00

H. *Deeds and Deeds of Trust*:
Each 10.00
(Where value of property is in excess of $2,500.00 add $1.00 per thousand)

I. *Corporations*:
(1) Obtaining Charter, including By-Laws and Minutes of first meeting (Stockholders and Directors) 250.00
(2) Complete incorporation, conduct first meeting, election of Directors, Officers and report of organization. 50.00
(3) Attendance at Corporate Meetings and preparation of Minutes, per hour 15.00
(4) Charter Amendments 75.00
(5) Ex Parte Dissolution (no debts) 150.00
(6) Voluntary Dissolution 150.00

J. *Depositions*:
(1) Not part of case pending in Attorney's own office (Where deposition consumes a day or more, the same schedule for applicable Court work should govern). 35.00

III. Titles—Services Respecting:

A. *Abstracts of Title*:
(1) Original, including certificate (exclusive of opinion) per page 1.50
but not less than 50.00
(2) Supplement or continuation, per page 1.50
But not less than 15.00

B. *Title Opinion Based on Examination of Abstract*:
Per page .75
But not less than 25.00
If value exceeds $5,000.00, add 1/5 of 1% of excess

C. *Certificate of Title*:
(1) Not involving Title Insurance or Sale or Loan closing.
For each separate chain of title search of 10 years or less 20.00
Search of more than 10 years, but less than 32 years 35.00
Search of 32 years or more 50.00
(2) Connected with Title Insurance or Sale or Loan closing (exclusive of curative work and preparation of instruments of conveyance)

1% of amount of value or sale price or loan up to $20,000.00, but not less than 50.00
For excess of $20,000.00, add ½ of 1%

Note: Because of the varying title and closing requirements of the several units of The Federal Farm Credit Administration and the Farmers Home Administration, it is believed to be impractical to attempt a schedule applicable to such loans. However, it is suggested that the fee for closing a conventional, GI or FHA loan, where title insurance is required, should be one and one-half per cent of the amount of the loan plus $12.50.

D. *Foreclosures*:

(1) Under power of sale in security instrument: Involving indebtedness up to $5,000.00. Add ½ of 1% for excess of $5,000.00 75.00

(2) In Chancery:
As for other Chancery actions, including trial per diem, but not less than statutory allowances for Clerk acting as Commissioner, to-wit:

1st $100.00	5%
2nd $100.00	4%
All over $200.00	3%

E. *Confirmation and Quiet Title Actions*:
As for other general Chancery actions, including trial per diem in contested actions (exclusive of any abstracting required for deraignment of title).

IV. Estates in Chancery:

A. *Estates of Decedents*:

(1) In estates the gross value of which is $1,000.00 or under, the fee should be at least 75.00

(2) In estates the gross value of which is in excess of $1,000.00 the fee should be not less than that suggested in the following schedule:

Gross value	$ 1,000	to $ 3,000	— $75 plus 7½%of amount over $1,000
Gross value	3,000	to 10,000	— $225 plus 5% of amount over $3,000
Gross value	10,000	to 50,000	— $575 plus 3% of amount over $10,000
Gross value	50,000	to 100,000	— $1,775 plus 2½% of amount over $50,000
Gross value	100,000	to 500,000	— $3,025 plus 2% of amount over $100,000
Gross value	500,000	to 1,000,000	— $11,025 plus 1½% of amount over $500,000
Gross value	1,000,000	and over	— $18,525 plus 1% of amount over $1,000,000

"Gross value" of estate should be the "total gross estate" as shown by U. S. Estate Tax Return or State Inheritance Tax Return in cases where such returns are required to be filed. If no such returns are filed, then the "gross value" should be determined by adding together the market value, as of the date of death of decedent, of all property that would have been included in such Estate Tax or Inheritance Tax returns had the same been required. Any mortgage indebtedness or delinquent taxes owing by decedent at the time of his death should be deducted from the "gross value" in calculating the fee.

The fees suggested above are for the ordinary services usually rendered in the handling of such estates. If there are extraordinary services such as the contest of a will, contest of heirship, sale of property to pay debts or legacies or preparation of estate tax returns and/or income tax returns, a reasonable per diem may be charged in addition to the above.

B. *Estates of Minors or Insane Persons*:

(1) Preparing petition for appointment, bond, letters, order for appointment and securing order	$ 50.00
(2) Inventory and appraisal, not less than	25.00
(3) Preparing, presenting and securing approval of annual account, not less than	25.00
(4) Preparing, presenting and securing approval of final account, not less than	50.00
(5) Sales of real estate, not less than	100.00

The fees suggested above are for small estates of less than $5,000.00. If the value of the estate is over $5,000.00, the fees should be increased by adding thereto $5.00 per $1,000.00 for assets in excess of $5,000.00.

V. Retainer Fees:

(1) In determining the amount of a monthly or annual retainer fee for regular clients, it is proper to consider:
   (a) The time and labor required, the probable novelty and difficulty of various questions involved, the skill requisite properly to conduct the advice and counsel requested.
   (b) Whether the acceptance of the retainer in the particular case and from the particular client will preclude the lawyer's appearance for others.
   (c) The amounts that would be involved during the year.
   (d) The amount that the client would expect to pay for similar services for other attorneys that might be retained.

(2) Where proper, a cash retainer should be required, especially from casual clients on both civil and criminal matters, as follows:
   (a) In civil matters, not less than one-third of the fee that is to be charged ultimately.
   (b) In criminal cases, not less than one-half of the fee that is to be paid with the understanding that the remainder is to be paid before the case is tried.

VI. Domestic Problems:

(1) *Divorce*:	
(a) Non-contested complaint	$ 100.00
(b) Contested	150.00
plus per diem for trial appearance.	
(2) *Child Custody*:	
(a) Non-contested complaint	100.00
(b) Contested	150.00
Plus per diem for trial appearance.	
(3) *Separate Maintenance*:	
(a) Non-contested	100.00
(b) Contested	150.00
Plus per diem for trial appearance, and the ultimate basic fee should, of course, consider the amount of recovery. This suggestion is made with emphasis where "lump sum"settlements or decrees are involved.	
(4) *Adoption of Minors*:	
(a) Non-contested	125.00
(b) Contested	200.00

VII. Criminal Cases:

(1)	*Justice of Peace Courts*:	
	(a) Misdemeanors	35.00
	(b) Felonies, preliminary hearing	150.00
(2)	*County Courts*:	
	(a) Misdemeanors	75.00
	(b) Felonies, transferred thereto	250.00
	(c) Preliminary hearings	300.00
(3)	*Circuit Court*:	
	(a) Misdemeanors	100.00
	(b) Felonies	250.00
	(c) Capital cases	750.00
(4)	*Appeals to State Supreme Court*:	
	(a) Misdemeanors	100.00
	(b) Felonies	250.00
	(c) Capital cases	500.00
	Additional fee of $100.00 where oral arguments to be made.	
(5)	*United States District Court*:	
	(a) Appearance	200.00
	(b) Capital cases	750.00
(6)	*Appeals to Circuit Court of Appeals*:	
	(a) Any case	350.00
	(b) Additional fee where oral argument required	150.00
(7)	*Appeals to United States Supreme Court*:	
	(a) Any case	750.00

VIII. Contingent Fees, Civil Cases:

(1) Making settlement of personal injury claims, without Court action; 33⅓% of amount recovered.

(2) Where filing suit necessary before settlement made; 50% of amount recovered.

(3) Contingent fee contracts should be reduced to writing by client and the attorney, to avoid misunderstandings.

IX. Appearance in Civil Matter:

(1)	*Justice of the Peace Court*:	
	(a) Preparation of case and pleadings	$ 35.00
	(b) Trial, per day or fraction	25.00
(2)	*County Courts*:	
	(a) Preparation of case and pleadings	50.00
	(b) Trial, per day or fraction	75.00
(3)	*Circuit Court*:	
	(a) Preparation of case and pleadings	100.00
	(b) Trial, per day or fraction	150.00
(4)	*Chancery Court*:	
	(a) Preparation of case and pleadings	100.00
	(b) Trial, per day or fraction	150.00

(5) *State Supreme Court*:

(a) Appellant; Perfecting appeal and briefs	300.00
(b) Appellee; Brief	200.00
(c) Oral argument; Either side	150.00
(d) Suggestion of Error	150.00

X. Division of Fees With Associates:

Where one attorney or firm associates another in a particular matter, there should be a full disclosure of any fee arrangement then in existence. Where the fee is not to be fixed until the conclusion of the matter, there should be a consultation between both attorneys as to what fee should be charged and as to the division thereof. The associated attorney's division of the fee should be in proportion to his participation, both as to the work performed and as to the results obtained. Where the relationship exists, both in the trial court and on appeal, it is usually preferable to submit separate fee bills for these separate phases of the litigation. No attorney likes to feel that he has been associated solely because of the influence he may have with a local jury. Association should, therefore, be made long enough prior to the trial to permit the associated attorney to become thoroughly familiar with the litigation.

XI. Tax Matters:

A. *Income Tax Reports*: No tax report less than $10.00 or minimum hourly rate for time spent in conferences, analysis, preparation and expense incurred in relation thereto.

B. *Gift Tax Reports*: Hourly rate.

C. *Estate and Inheritance Tax Work, including Fiduciary Tax Reports, Gift Tax Reports and Income Tax Reports*: Not less than 2% of the gross estate as reflected in the Federal Estate Tax report, including verification with Revenue Agents and expense incurred.

A time and expense schedule should be maintained on all tax matters to be considered with preparation of reports, including conferences, analysis, research, litigation and related matters.

If the time and expense schedule should exceed the percentage fee basis, then the lawyer is entitled to be paid for his work and the time and expense basis should apply.

It is impossible to determine an estate fee in the beginning on a time and expense basis; however, a general rule is not less than 3% of the gross estate if no inheritance matters are concerned and not less than 5% if the estate is large enough for inheritance tax matters.

REPORT OF PUBLIC RELATIONS COMMITTEE

The Public Relations Committee of the Mississippi State Bar met in Jackson, Mississippi on Friday, February 17, 1956. After a general discussion of the work of the Committee and of the opportunities of the Mississippi State Bar through public relations work, the following recommendations were submitted to the Commissioners of the Mississippi State Bar:

1. That Honorable Lunsford Casey, Vice-Chairman of the Public Relations Committtee, be requested to prepare a *Handbook for Jurors* to be submitted to the Commissioners of the Mississippi State Bar for their approval and that the Commissioners be requested to authorize the printing of a substantial supply of

such handbooks for distribution to the circuit judges and the clerks of the circuit courts throughout the State of Mississippi for the purpose of better informing jurors as to the performance of their duties. That each of the circuit judges of the State of Mississippi be requested to authorize the use of said handbook in their courts and that where the judges approve of the use thereof, the sheriffs be requested to deliver a copy of said handbook to each prospective juror when summoned for jury duty.

2. That the program of the Public Relations Committee (also known as Public Information Committee) of the Forrest County Bar Association be commended to other local bar associations throughout the State of Mississippi.. That Honorable W. Arlington Jones, Chairman of said committee, be given an opportunity at the next annual meeting of the Mississippi State Bar to explain the program of the Forrest County Bar Association and if time is available, to demonstrate a typical program of said Association.

A report was made to the Commissioners of the Bar Association on May 4, 1956, and the above mentioned recommendations were approved by the Commissioners with the understanding that a copy of the proposed *Handbook for Jurors* would be submitted to each of the Commissioners in advance of the annual meeting for their consideration and approval.

Subject to the approval of the *Handbook for Jurors* by the Commissioners, this Committee recommends that the Mississippi State Bar authorize the printing of a substantial supply of such handbooks for distribution to the circuit judges and the clerks of the circuit courts throughout the State of Mississippi, and that the circuit judges be requested to approve the use thereof and that the clerks and sheriffs throughout the state be requested and urged to cooperate in the distribution thereof to prospective jurors.

EDITOR'S NOTE: The remarks of Judge Lunsford Casey of Laurel explaining that part of the Report of the Public Relations Committee dealing with the proposed *Handbook for Jurors* follow:

For a good many years a number of states have had a very active program with regard to public relations. I am afraid that the Mississippi State Bar has been a little bit behind in that, and with regard to the *Handbood for Jurors*, our idea is to try to disseminate information to people who serve on juries to get them to realize the importance of the responsibility that they play in the functioning of our circuit and our county courts. A year or so ago the Junior Bar compiled a handbook for jurors which we considered in the Public Relations Committee with the idea of getting a wide dissemination of it. However, we felt that the book as published was a little too bulky and a little to expensive for what we had in mind. What we have in mind is simply a throw-away pamphlet that will be concise—that will give information to the persons who are summoned to serve as jurors, stressing to them the importance of their service and giving them some information with regard to their duties, but which will not be slanted in any particular way. We plan to distribute this handbook with the summons to the jurors as they are distributed by the sheriff's deputies. We feel that in this way jurors will come to court a little better informed, and we will get a better type juror.

At present, the handbook is in the process of compilation. The plan is to contact all of the circuit judges and to secure their ideas about it, then to prepare a draft and re-submit it to the circuit and county judges for their constructive criticism, and finally, to present it in draft form to the Bar Commissioners for their approval. If

we secure that approval, we then plan to distribute the handbook through the co-operation of the several circuit and county judges.

EDITOR'S NOTE: The remarks of Mr. W. Arlington Jones of Hattiesburg, Chairman of the Public Information Committee of the Forrest County Bar, explaining the Forrest County Bar's radio program, "You and the Law," follow:

We of the Forrest County Bar Association are justly proud of our local radio program entitled "You and the Law." In the summer of 1952 we decided that we needed to do something to help public relations in Forrest County. Good public relations means good business. Good business means more money in the pockets of the lawyers. We came upon the idea that we should initiate a forum type radio program. We have had that radio program on the air since September, 1952, and I am happy to report to you that since 1952 we have never canceled a program. It takes seven men to put on our show, and incidentally, we put on our show as though it were a big network program. We have unconsciously developed the idea that our show must go on the air, and we follow that idea. Sometimes we run close in time, but our show still goes on.

The seven men that we have on the program consist, first, of four lawyers and a moderator who are actually on the air. The moderator is a member of the staff of our local radio station. Then we have two lawyers on the telephone to answer any question that might come in during the program. To give you a little better idea of our program, I would like to read to you the opening and closing announcement that the moderator makes:

> "Ladies and Gentlemen, the subject tonight on 'You and the Law' is *Landlord and Tenant*. This weekly program presented by a panel of lawyers is an unrehearsed program, and different lawyers appear on the panel each week. The answers to all legal questions on this program differ according to the facts and circumstances in each case; therefore, the program is intended to be of an informative nature, without intending to advise as to legal questions. This program is designed to acquaint you with various aspects of the law. Your written or telephone questions are welcome. If you telephone WFOR while this program is on the air your question will be answered on a succeeding program. If you write a letter, mail it to 'You and the Law,' care of WFOR. You need not give your name; your name will not be used on the broadcast for either a telephone or written question; and your signature to a letter is not required. The lawyers will answer a variety of questions each week on the topic of the law then under discussion, and will answer such questions as are mailed or telephoned. We have on our panel tonight Honorable Earle L. Wingo, Honorable M. M. Roberts, Honorable James Finch, and Honorable Bruce Aultman, all representing the Forrest County Bar Association. And now, before getting to our subject of *Landlord and Tenant,* here are two questions brought over from last week's program that were either telephoned or written, and here's the first qustion: What does the term 'special venire' mean?"

And then the four lawyers on the panel will answer that question.

> "And two: How is the foreman of a grand jury selected?"

The panel answers that question, and the moderator takes them into the subject of that week, *Landlord and Tenant.*

Here is the closing announcement made by the moderator:

"You have been listening to 'You and the Law' which has been brought to you

> by the Forrest County Bar Association. Tonight you have heard a panel of lawyers composed of Earle L. Wingo, M. M. Roberts, James Finch and Bruce Aultman discuss the subject of *Landlord and Tenant.* Your written or telephone questions are welcome. If you telephone WFOR while this program is on the air, if time permits, your question will be answered, or answered on a succeeding program. If you write a letter, mail it to 'You and the Law,' care of WFOR. You need not give your name; your name will not be used on the broadcast for either a telephone or written question, and your signature to a letter is not required. Next week a panel of lawyers from the Forrest County Bar Association will discuss *Laws Pertaining to Minors.* For an up-to-the-minute interpretation of laws that daily affect you, your home and your family, be sure to listen at this time to 'You and the Law.'"

And that's the end of the radio program.

We have found that our radio program has greatly improved public reations in Forrest County, and has also brought the lawyers closer together. You might want to know how much this program has cost us since we first went on the air in 1952. The total cost has been fifty-two dollars since 1952, and that cost went for mimeographing our program. The program is set up by a committee known as the Public Relations Committee of the Forrest County Bar Association. This committee sets out a weekly program—a different subject each week—for a period of about six months in advance. The committee selects the subject and the lawyers who will appear on the panel for a particular week. We do not ask for volunteers to appear on the program. The members are selected by the committee, and they are told that "You are it." The response of all our lawyers has been overwhelming.

When the committee selects the panel of four lawyers on the radio and the two on the telephone the committee designates a chairman for that particular week's radio program. That chairman is to write thirty questions on his particular subject. On the sheet his name is underscored, indicating that he is the chairman of that particular week's program, and, of course, after the committee sets up the program far in advance we send out a mimeographed schedule of our subjects and panels to all of the lawyers of the Forrest County Bar Association. The chairman of the panel, after he prepares his thirty questions, delivers a copy of those questions to each member who is to appear on the panel for that particular week's radio program. The period of time that we have on the air is thirty minutes, and that is given to us free as a public service of the radio station.

Now, you might want to know what the people of Forrest County think of our radio program. Our radio station reaches about three counties, but in that section the radio station made it a point to ascertain how our radio program ranks with some of the big network radio programs. They told our committee that we had as many or more listeners than any of the big network programs, so I think that we of the Forrest County Bar Association are taking a step forward toward rendering a great public service to our community and also improving our public relations. We invite other bar associations and groups over the state to join us in helping to improve public relations, and we invite you to write to the Forrest County Bar Association if you need help. We will be glad to furnish you copies of sets of questions or give you any other type of information that you might desire.

REPORT ON RECOMPILATION OF MISSISSIPPI CODE

In order to eliminate the tremendous supplements which had accumulated over the years, the legislature in 1952 provided sufficient funds to recompile volumes five and seven of the Code into two volumes each. That task has now been completed. Largely because of the efforts of the Bar Association, the legislature has now appropriated $203,000 for the purpose of reworking the other volumes of the Code, and volumes one, two, three, four and six are now in the process of recompilation.

There were those who preferred the appointment of a Code Commission to rework the Code in its entirety, but upon investigation it was discovered that to do so would cost approximately $500,000. We feel that the present recompilation will last quite a number of years, and the cost of each recompiled volume to members of the Mississippi Bar will be approximately nine dollars. The present recompilation will cost only about two-fifths of what it would have cost had a Code Commission been established to formulate an entirely new Code.

Volumes one, two, three, four and six will be bound into two volumes each, in the same manner as volumes five and seven. The Lawyers Cooperative Publishing Company is working with the Harrison Company in the preparation of a master index, and they have assured the Board of Public Contracts, of which I am a member, that the result will be a great improvement over our present index. It is estimated that the cost of the new index will be around sixteen dollars.

RESOLUTION

WHEREAS, the members of the Mississippi State Bar are deeply concerned with the heavy case load and the resulting congestion in the United States District Court for the Southern District of Mississippi; and

WHEREAS, the docket shows that for a ten year period from 1944 until 1954 the number of cases, both civil and criminal, has increased sixty per cent; and

WHEREAS, litigants are delayed in the handling of their cases notwithstanding the efficient and almost super-human efforts of the District Judge and the assistance of assigned judges; and

WHEREAS, the continuing rapid increase in the judicial business of the Southern District is adding each year to the case load and is accentuating an already serious strain upon litigants, judge, court attendants and attorneys; and

WHEREAS, there is now pending in the Congress of the United States Senate Bill No. 1256 and House Resolution No. 3559, designed to alleviate the existing conditions in the Southern District of Mississippi and other districts of the United States;

NOW, THEREFORE, BE IT RESOLVED by the Mississippi State Bar in its fifty-first annual meeting assembled in Jackson, Mississippi, that we, the members, unanimously urge the Senators and members of the House of Representatives from the State of Mississippi to give the strongest possible support to the proposed legislation referred to above; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded by the secretary to each of the United States Senators from Mississippi and to each member of the House of Representatives from our State.

REPORT OF THE COMMITTEE ON REVISION OF STATE BAR ACT—BY-LAWS

Although various topics within the scope of this committee's functions have been considered, it has been felt that the work of the committee should be gradual and that

the following items should be presented for consideration by the Mississippi State Bar at its 1956 meeting. These include: (1) requesting legislative approval for the Association to fix the dues of its members; (2) revision of the by-laws with reference to the election of officers, with provision for continuity of leadership by having first vice-president succeed to the office of president; (3) revision of the by-laws with reference to the selection of the annual meeting place; (4) provision for a committee on complaints instead of a complaint commissioner; (5) elimination of the prohibition against commissioners serving on committees; (6) requesting legislative approval for staggering the terms of the commissioners; and (7) establishing a minimum number of standing committees with a general outline of their functions and with some continuity in membership.

This report was submitted to the Board of Bar Commissioners on May 4 at which time it was approved by a majority of those present. It is hoped that this convention will do likewise for at least a trial period.

I.

The committee feels that the Bar Association is competent to govern itself in the fixing of its dues. There has been considerable discussion among the leaders of the Bar that the Bar could render more adequate service to its members if additional funds were available. The fixing of the dues should be a matter to be decided by the Bar at its annual convention. It is therefore recommended that the present statute fixing the dues of the Association be changed. Section 8699, Mississippi Code of 1942, as amended by Chapter 241, Laws of 1952, now reads as follows:

> "Each member of the Association engaged in the practice or in order to possess authority to practice law in this state, shall pay dues each year in the sum of Ten Dollars ($10.00). All dues shall be paid for the same period, that is, for the period of one (1) year beginning on the day and month as provided in Section 8710, Mississippi Code of 1942. The dues shall be paid to the Secretary of the Association."

It is recommended that the Legislature be requested to amend this section to read as follows:

> "The Mississippi State Bar shall, at its annual meeting, fix the annual dues to be paid by its members. After the annual dues are so fixed, each member of the Association engaged in the practice, or in order to possess authority to practice law in this state, shall pay the dues so fixed for the period of one year, and all dues shall be paid to the Secretary of the Association."

II.

It has been felt by many that the present method of electing officers, and the present method of determining the meeting place, fail to measure up to the democratic standards which should be particularly applicable to the affairs of the State Bar. Ordinarily not more than 20 percent of the members of the Bar attend the annual meeting. These absent (but dues-paying members) have no vote in the election of officiers, and none in the determination of the annual meeting place. Each member of the Bar who has attended the annual meeting knows of the confusion which takes place at about eleven o'clock on Saturday morning when these two matters come up for consideration.

In addition to the change in the method of selecting the officers, another important change involves the adoption of the principle of continuing leadership. Under the present system, the incoming officers must spend weeks or months in trying to learn their responsibilities and duties, and the best way to cope with their problems.

It is recognized that an apprenticeship in leadership is a valuable asset in business, and even more so in capacities where regular activities must be carried on. The new president would be able to make his plans far in advance if he but knew that he was to be charged with those responsibilities. He could work with the officers, the Bar Commissioners, and the Committee, in advance of taking office, and thereby become much more qualified for leadership.

In 1957, if these changes be adopted, both a president and a first vice-president would be selected, and in 1958 and thereafter, the contest would be over the selection of first vice-president, because the first vice-president would automatically succeed to the office of president.

Although there are several systems which could be used, any one of which would be an improvement over the present system, it is believed that the most workable solution and the most democratic method for handling these problems is as follows.

It is recommended that the by-laws be amended so as to provide for a Committee on Nominations and Meeting Place. This committee would receive nominating petitions signed by at least 25 members of the Bar who are in good standing, advocating the candidacy of one of their choice for president and for first vice-president. The committee would then certify these nominees for office to the Secretary of the Bar Association, who would then send ballots listing all such approved nominees to each member of the Bar who is in good standing. If this is done by the first of April each year, those who are thus elected would have sufficient time to prepare themselves for their new duties and to work with the officers and committees. At the same time, there would be a formal installation of officers at the annual meeting, instead of the election of officers, as is now provided by Article XI (7) of the by-laws.

It is therefore recommended that Article IV entitled "Committees" shall be amended by adding a paragraph (5) in this language:

> "The president, with the approval of the Board of Commissioners, shall appoint a committee which shall be known as the Committee on Nominations and Meeting Places, which shall be composed of at least five (5) members of which at least two (2) members shall be past presidents of the Bar.
>
> "In order to provide continued and uninterrupted leadership in the Bar and to permit advance planning in its affairs, the first vice-president elected in 1957 shall succeed to the office of president at the annual meeting in the year following his election as first vice-president.
>
> "All nominations shall be made to the Committee on Nominations and Meeting Place by a nominating petition signed by twenty-five (25) or more members of the Bar who are in good standing. Such nominating petitions shall be filed with the committee by February 1 of each year. The committee shall then meet at the State Capitol not later than March 1 thereafter and shall ascertain the correctness and sufficiency of such petitions, and after approval thereof shall certify to the secretary of the Bar those nominated for office.
>
> "Upon receipt of the names of those so nominated the secretary shall cause ballots to be made up and distributed to all members of the Bar in good standing. Names of nominees shall be listed alphabetically on the ballots. The ballots shall contain a warning that they must be delivered or mailed to the secretary in the official envelope accompanying the ballot, not later than April 1, and that no ballot shall be counted which is not in the office of the secretary by that time.

"As soon after April 1 as possible the committee shall reconvene at the State Capitol and shall open and tabulate the ballots. The nominee who receives the greatest number of votes shall be certified to the Board of Commissioners by the committee, and he shall take office on the second day of the next annual meeting thereafter.

"For the election to be held in the year 1957, the committee shall receive nominations not only for the office of First Vice-President but also the office of President, and the method of choosing the nominees shall be the same as hereinabove provided.

"The office of Second Vice-President shall be filled by nominations from the floor and the nominee shall be the newly elected president of the Junior Bar Section.

"In the event that a vice-president elected under this system shall die or otherwise become unable to serve as president prior to assuming the office as such, the president shall immediately notify the committee on Nominations and Meeting Place, which shall meet forthwith and prescribe the method of electing his successor, provided that such method shall conform generally with intent expressed herein."

III.

All who have attended the annual meeting of the State Bar have witnessed the great amount of confusion surrounding the selection of the annual meeting place for the succeeding year. Although the State Bar has enjoyed the hospitality of the Gulf Coast for a good many years, it is felt that the lawyers from the entire state should have a voice in selecting the meeting place for the ensuing year. This can be accomplished by having the Committee on Nominations and Meeting Place receive proposals from various areas or cities which desire to have the State Bar meet in those localities. The committee would then consider these proposals and, with the approval of the Board of Commissioners, certify to the secretary of the Association those places which desire to have the annual meeting of the State Bar held there, and the Secretary would then distribute ballots to the members of the Bar who are in good standing, thereby permitting the general membership of the Bar to select the meeting place for the next year. In order to accomplish this purpose, the following provisions should be adopted, in lieu of Article V, which should be repealed:

"The Committee on Nominations and Meeting Place shall receive, prior to its meeting on or before March 1, proposals or invitations from local bar groups and others, who request the Bar to meet in their area or city for the succeeding year, which proposals or invitations shall be studied, and from them at least two areas or cities (if available) shall be selected as proper meeting places with adequate accomodations. The Committee shall then certify such areas or cities thus selected to the secretary, who shall cause such areas or cities to be designated on the ballot containing the nominees for office. After the committee shall have tabulated the ballots, and shall have determined the area or city receiving the greatest number of votes, it shall so certify to the Board of Commissioners, which shall then proceed to make the necessary arrangements for the annual meeting for the next succeeding year."

IV.

It is generally recognized that the duties of complaint commissioner are the most onerous duties imposed upon a member of the Bar. At the present time the By-Laws

provide for the appointment of one member of the Board of Commissioners who shall serve as complaint commissioner. It is believed that there should be a Complaint Committee, composed of five members to be appointed by the President of the State Bar. The Chairman of the Complaint Committee could then assign to the members of his committee those investigations presently handled by the Complaint Commissioner, with the obvious result that closer attention could be given these unpleasant but important tasks. To that end, it is recommended that Article III (4) of the By-Laws shall be amended to read as follows:

Section (a) shall read as follows:

> "The President shall appoint a committee known as the Committee on Complaints, consisting of a chairman (who shall be a Commissioner) and four members thereof, to whom all complaints shall be referred or sent, and the Committee on Complaints shall be charged with the duties of acknowledging the receipt of each complaint, and shall likewise demand of the complainant affidavits in proof of the facts charged. The chairman of the Committee may assign each such complaint to a member of the Committee on Complaints for further handling."

Section (b) shall be amended to read as follows:

> "The Chairman of the Committee on Complaints, or the member to whom the complaint has been assigned by him, after the receipt of the complaint and affidavits as provided herein, shall in writing notify the member complained against, informing him fully as to the charge and the contents of the affidavits, and shall call upon him for explanation or opposing proof if such is desired to be submitted."

The first paragraph of Section (c) shall be amended to read as follows:

> "Upon receipt of statement of such member, the Chairman of the Committee on Complaints, or member to whom the complaint is assigned, shall consider the accusation made, and upon approval of the Complaint Committee, if a majority of those members deem that the ends of justice justify, shall report the matter fully to the Board of Commissioners, either at formal session, if one is to be held within 30 days, or by letter if such meeting is not to be so had and held. Upon receipt of such report, each member shall consider the case and shall notify the President whether or not he thinks further action or investigation is necessary, or advisable, on the record thus made. If a majority of the members of the Board of Commissioners shall decide that no further action is justified, none shall be taken, unless further evidence is furnished and/or a stronger case made."

The remaining paragraphs of Section (c) and Section (d) of Article III shall not be changed.

V.

No reason is seen why members of the Board of Commissioners may not be appointed to the various committees carrying on the work for the benefit of the State Bar. Article IV (4) contains a prohibition against each committee being composed of more than one member of the Board of Commissioners. It is believed that this prohibition works against the best interests of the State Bar and its committee work, and it is therefore recommended that Section 4 of Article IV should be deleted from the By-Laws.

VI

Consistent with the worthwhile purpose of providing for continuing leadership in the Bar, it is recommended that the Legislature be requested to amend Section 8706, Mississippi Code of 1942, so as to provide for staggered terms for the Bar Commissioners; it is suggested that the term of the commissioners be for three years, and that the Bar be authorized to provide rules designed to carry out the plan of continuing and uninterrupted service.

VII.

At the present time, the Study Committee is the only standing committee provided for in the by-laws. Each newly elected president has been faced with the chore of wading through voluminous correspondence and minutes to determine what his predecessor has done in committee designation and appointments. Just as continuity of leadership is desired in the officers, continuity of membership and objectives should be a much-desired goal in the ultimate planning of the various committees. With these thoughts in mind, and as a start toward more efficient committee work, the following standing committees should be established, as an addition to Article IV of the By-Laws, by adding thereto the following:

"The study committee shall be composed of not less than ten members whose functions shall be as outlined in paragraph 1 above.

"A committee for co-ordination of local bar activities, composed of not less than ten members, whose functions shall be to maintain liaison with all local bar associations throughout the state and to assist in the organization of additional local associations.

"A public relations committee, composed of not less than eight members, whose functions shall be to promote better understanding between the legal profession and the public.

"A law journal committee, composed of not less than five members, whose functions shall be to counsel with and assist the University of Mississippi Law School concerning the policies and finances of the *Mississippi Law Journal*.

"A committee on judicial administration, composed of not less than twelve members, whose function shall be to improve the administration of justice.

"A committee on budget and finance, composed of not less than six members, whose functions shall be to prepare and present an annual budget to the Board of Bar Commissioners for the Mississippi State Bar.

"Wherever possible, and in order to maintain continuity, at least one-third of the membership of these standing committees shall be retained for the succeeding year.

"The president, at his discretion, may appoint such other committees as he shall deem necessary or advisable for carrying on the activities of the State Bar."

It is hoped that the foregoing report will be of some assistance to the Bar in its future planning. Although other changes may be required from time to time, it is felt that the changes suggested above will be of great assistance in the functions of the Bar and they are respectfully submitted for consideration.

REPORT OF STUDY COMMITTEE (JR. AND SR. BAR)

Your Study Committee has had two meetings in Jackson during this fiscal year of the Mississippi State Bar, and at each a substantial majority of the sixteen regular members of the Study Committee was present. These meetings were held jointly with the membership of the Code Study Committee of the Junior Bar Section. Every member of the Study Committee has served on one or more sub-committees which examined proposals made to the Committee by members of the Bar, and worked on drafts of proposed and recommended legislation.

I.

At the last convention of the Mississippi State Bar in June, 1955, this body approved a number of recommendations made by the Study Committee. The Mississippi Legislature met in regular session from January through March, 1956, and at that time eighteen bills were introduced in pursuance of the Study Committee's recommendations as approved by the State Bar. Of these eighteen bills which were introduced, nine were passed by the Legislature and approved by the governor. A tenth bill was passed by the Legislature and vetoed by the governor. We want to express our appreciation to the members of the Legislative Committee of the State Bar for their leadership and assistance in obtaining the enactment of these statutes. All of them, with Earl T. Thomas as chairman, worked ably to do this. Joseph E. Wroten, William G. Burgin, Jr., William F. Winter, Sam E. Lumpkin, William J. Gunn, Jr., and George W. Rogers, Jr., as members of the Legislature and of the Legislative Committee, and Carroll Gartin, Lieutenant-Governor, were most helpful. In addition, the members of the Judiciary Committees of both houses were most cooperative. The members of the Study Committee also spent considerable time promoting this legislation. A joint subcommittee of the Legislative and Study Committees appeared before the Senate Judiciary Committee for a hearing on the State Bar proposals.

II.

House Bill 85, being an act for the registration of all causes of action based upon any obligation or liability of a decedent within the six months allowed for probation of claims; House Bill 93, being an act providing for continued jurisdiction, in criminal matters of all courts for criminal jurisdiction, unaffected by the expiration of a term of court; and House Bill 94, being an act for the continued jurisdiction in civil matters of all courts, unaffected by expiration of a term of court, were thought by both the legislative and study committees to require further study and development before enactment. Hence, we recommend that the next Study Committee make additional examination of these three bills, that it make them more complete and clear, and that it retain them on its agenda for presentation to the next session of the Legislature.

III.

House Bill 81, being an act to establish a procedure for notice in certain instances under Code Section 1876, was passed by the House but reported unfavorably by the Senate Judiciary Committee. We recommend that the next Study Committee reexamine this bill, the basis of which we believe to be sound, and that it discuss the same with members of the Senate Judiciary Committee and undertake to revise the bill in an acceptable form, so that in such form it may be reintroduced at the next session of the Legislature.

House Bill 82, an act to have counsel appointed at least ten days for preparation of defense in capital cases, and one member have at least five years' experience, was vetoed by the Governor after passage by both houses. We think the basic purpose of

this bill was sound, so we recommend that the next Study Committee re-examine it in the light of the Governor's objections to it, and that if possible, the bill be redrafted to comply with the Governor's objections, so that in such revised form it may be reintroduced in the next session of the Legislature.

IV.

The following bills were reported favorably by the House Judiciary Committee, but no action was taken by the House after such report:

House Bill 80, an act to provide for a method of reviewing the determination of administrative agencies.

House Bill 83, an act to allow defendant to bring in new parties as cross-defendants within discretion of the court.

House Bill 90, an act to provide for settlement of pleadings and entry of judgment in vacation.

House Bill 396, an act to provide for pretrial procedure.

The first three of these bills have previously been approved by the State Bar. The fourth, on pretrial procedure, was drafted while the Legislature was in session by members of the study and legislative committees.

A copy of it follows as an addendum to this report. We recommend that the State Bar approve again the first three stated bills, and that it go on record as approving the pretrial procedure bill.

V.

The following bills were enacted by the Legislature and approved by the Governor:

1. House Bill 79, Advance Sheet No. 2 of 1956 Legislative Session, page 36, amending Code Section 875, so as to provide a limitation where the due date of an indebtedness does not appear of record.

2. House Bill 84, Advance Sheet No. 3, page 49, an act to provide for the devolution of title to property upon the death of persons where there is not sufficient evidence that such death was other than simultaneous.

3. House Bill 86, Advance Sheet No. 2, page 29, an act to amend Code Section 1389, so as to provide that in sale or lease of lands or personal property authorized by the chancery court, a report of confirmation shall not be necessary where all of the terms of sale are made certain by the decree or order authorizing the same.

4. House Bill 87, Advance Sheet No. 3, page 50, an act to amend Code Section 432, to authorize the appointment of guardians for citizens who are of unsound mind under certain conditions.

5. House Bill 88, Advance Sheet No. 2, page 29, an act to provide that when any matter is lawfully set by the chancellor in vacation for confirmation or decree, the chancellor shall have the power to enter a decree on any day prior to the adjournment of the next succeeding term, provided no contest has been filed in the meanwhile.

6. House Bill 91, Advance Sheet No. 2, page 31, an act to amend Code Section 1712, so as to make it applicable to all parties to a suit and to clarify time for answer to interrogatories.

7. House Bill 92, Advance Sheet No. 2, page 32, an act to amend Code Section 1708, so as to make a deponent the witness of the party who introduces the deposition

in evidence, rather than that of the party at whose instance the deposition is taken.

8. House Bill 95, Advanee Sheet No. 2, page 32, an act to amend Code Section 1264, as amended, so as to provide that the chancery court shall be considered to act as a court of general equity jurisdiction in removing disabilities of minority.

9. House Bill 89, Advance Sheet No. 2, page 30, an act to amend Code Section 1659, so as to include examination of evidentiary objects within the scope of said section.

All of these statutes are to take effect and be in force from and after July 1, 1956.

VI.

Your Committee is of the opinion that because of the limited statutory law we now have on the subject, Mississippi needs positive legislation in the field of trusts administration for the protection of those who place or leave their estates in trust and for their beneficiaries, and for the guidance and protection of those charged with the administration of such trusts. The Uniform Trusts Act and the Texas Trust Act, with revisions to meet local needs, might well provide the bases of proper statutes on this subject. The Uniform Trustees Accounting Act, in a more simplified form, would probably establish the minimum administrative accounting necessary to the protection of the trust. Irrespective of the form such legislation might take, your Committee is convinced of the need for trusts administration legislation and recommends that the next Study Committee be authorized and directed to study this subject further and to make specific recommendations to the next convention of the State Bar to carry out this resolution. This recommendation has been approved by the State Bar on two prior occasions.

HOUSE BILL NO. 396

AN ACT TO ESTABLISH A PROCEDURE FOR A PRE-TRIAL CONFERENCE IN CERTAIN STATE COURTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. After the time for pleading has elapsed in any cause pending before the chancery court, circuit court or county court, the presiding judge in term time or vacation, upon motion of any party thereto, may direct the attorneys of record, by not less than ten (10) days' notice in writing, to appear before him at a place fixed by him for a conference to consider:

(1) The simplification of the issues;

(2) The necessity or desirability of amendments to the pleadings;

(3) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;

(4) The limitation of the number of expert witnesses; and

(5) Such other matters as may aid in the disposition of the action.

The court shall make an order which recites the action taken at the conference, the amendments allowed to the pleadings, and the agreements made by the parties as to any of the matters considered, and which limits the issues for trial to those not disposed of by admissions or agreements of counsel; and such order when entered

controls the subsequent course of the action unless modified at the trial to prevent manifest injustice.

SECTION 2. All laws or parts of laws in conflict with the provisions hereof are hereby repealed to the extent of such conflict only.

SECTION 3. This act shall take effect and be in force from and after July 1, 1956.

REPORT OF TAXATION COMMITTEE

The following is the work which has been carried on by the various subcommittees of the Taxation Committee of the Mississippi State Bar for the year 1955-56:

1. The Subcommittee to Encourage General Practitioners to Acquire a General Knowledge of Tax Problems has arranged the Taxation Committee's portion of the program at the Association's June meeting. It contacted the University of Mississippi Law School about making a course in Federal Taxation (income, gift and estate) a required course at the Law School. Mr. Lawrence Rabb wrote to Dean Farley on April 23, 1956, and Dean Farley replied as follows:

> "Your letter of April 23 was received and I was delighted to learn of your subcommittee and its function. There is certainly a need for greater knowledge of tax problems and particularly among the older lawyers. Our faculty has had complaints, especially from banks, that many lawyers are still writing wills out of form books without regard to tax problems. We have talked of making the basic course in income taxation required but the trend in law schools generally is toward less required work and more electives as specialization develops. In any case, I shall bring it again to the faculty's attention."

The other matters assigned to this subcommittee have not been completed by it, but I recommend that such a subcommittee be continued during the next administration of the Taxation Committee.

2. The Subcommittee to Review Legislation handled several matters within its scope, the principal one being a review of the new estate tax law before it was presented to the legislature. Several suggestions were made by this subcommittee, which were embodied in the new law. The State Tax Commission desired a six (6) year statute of limitations in the new estate tax law, whereas the subcommittee felt that a three (3) year statute was long enough. The attorney for the State Tax Commission told the legislature of the subcommittee's desires, and the legislature compromised the matter at four (4) years. It is recommended that such a subcommittee be continued in the next administration of the Taxation Committee.

3. The Subcommittee to Study Questions of Formation of Taxation Section has been working on the question whether or not there should be formed in the Mississippi State Bar Association a Taxation Section (as distinguished from a Taxation Committee) to operate along the lines similar to the Taxation Section of the American Bar Association. This work has not been completed by this subcommittee, nor did the subcommittee ever get to the point where it could contact Mr. Joe Daniels, Chairman of the Committee on Revision of By-Laws, with the view of recommending a provision to be included in the revision of the By-Laws of the Association, setting up such a Taxation Section. From my conversation with Mr. Alex Brunini, chairman of this subcommittee, I think it is his opinion that the formation of a Taxation Section in the Association at this time would be premature, and that such action should not

take place until after the Taxation Committee has operated for several years. Because of the importance of this question, however, it is recommended that this subcommittee be continued in the next administration of the Taxation Committee.

4. The Subcommittee for Referal of Matters Involving Tax Practice to the Complaint Commissioner has not made a report. However, there are at least three matters now pending which have been called to the attention of the chairman of this subcommittee and it should be referred in the very near future to the Complaint Commissioner; hence, it is recommended that this subcommittee be continued in the next administration of the Taxation Committee.

5. The Subcommittee to Arrange with the CPA's for a Joint Committee for the Administration of the Joint Statement of Principles between Lawyers and CPA's has been functioning. Shortly after the January meeting of the Bar Commissioners, a bill was introduced by Senator Stanford Morse, Jr., in the legislature concerning the practice of law by non-lawyers in the taxation field; whereupon, the Taxation Committee held a meeting on March 20, 1956, to consider this bill and the action of the Taxation Committee with regard thereto. At that meeting, the Chairman of the Taxation Committee stated that he had been contacted by a member of the Certified Public Accountants Society of Mississippi who requested that the Taxation Committee take steps to review and if possible defeat the bill. After a lengthy discussion, it was decided that the Committee on Taxation would request that the bill in question be held up pending the next term of the legislature to see if in the meantime some workable statement of approved or allowable practice could be worked out between the Bar and the Certified Public Accountants Society. It was recommended by the Committee on Taxation that some suitable delineation be drawn between the practice of the Certified Public Accountants Society and Attorneys. In the course of discussing this bill with Mr. W. Norton, one of the officers in the Mississippi Society of Certified Public Accountants, I talked to him about the formation of such a joint committee and he talked to the President of the Certified Public Accountants Society, and then assured me that they would very much like to form with us such a joint committee. I suggested to him that we hold up proceeding on this work until after April 23, 1956, on which date a subcommittee of the Professional Relations Committee met in Washington, D. C., to consider machinery for the setting up of such a joint committee at the national, state and local levels. Mr. W. J. Jameson, Chairman of the Subcommittee, has agreed to write to me his subcommittee's recommendations, but they have not yet been received. As soon as they are, I will proceed with the organization of the joint committee, as authorized by the Bar Commissioners at their January 23, 1956, meeting. Because of the importance of this work, it is recommended that this subcommittee be continued in the next administration of the Taxation Committee.

6. The Subcommittee for Rallying Support to the Jenkins-Keogh Bill (Private Retirement Plans for Professional People) has not made a report of its activities. However, it is my understanding that the chance of this legislation passing at this term of Congress is very slim.

I am happy to report that the Association of the American Institute of Accountants, in seeking to have the Treasury Department to grant to non-enrolled agents the unlimited right to practice law in representing taxpayers before the Treasury Department by amending Treasury Circular No. 230, failed. The Treasury Department by Memo (printed in Vol. 7 of the Internal Revenue Bulletin, pages 62 and 63) refused to amend Treasury Circular No. 230. I assume that there will therefore be no further action on the Reed-Dingell Bill (H.R. 1601 and H.R. 2416), to the same effect.

It is my understanding that the Permanent Group of Representatives from the Bar Association of the Seven Southern States, comprising the Atlanta Region of the Regional Counsel of the Internal Revenue Service, and organized for the purpose of providing liaison between the bar associations and the Regional Counsel of the Internal Revenue Service, has been completed. This Association's representing agent on this Permanent Liaison Committee is the Chairman of the Taxation Committee. The formation of this group is a far reaching step and it is recommended that our representation on this group be continued during the next administration of the Taxation Committee. The next meeting of this committee will probably not be held until the Fall of this year.

The Taxation Committee, as a matter of age, is very young among the other committees of the association. It was organized in October, 1955, and I believe that it has accomplished much good in the taxation field in Mississippi already. I hope that a Taxation Committee will be continued in the future administration of the Mississippi State Bar Association.

REPORT OF WATER RESOURCES COMMITTEE

The special committee of the Mississippi State Bar for the drafting of legislation for the Mississippi Water Resources Policy Commission met in Jackson, Mississippi, on Tuesday, November 29, 1955.

The committee met with the Commision in order to obtain the information from the Commission as to the matters to be covered by legislation. After receiving the information from the Commission and its technical advisors, the committee studied the proposals advanced by the Commission.

The committee met in Jackson, Mississippi, on Wednesday, December 7, 1955, and, after a general discussion of the recommendations of the Commission, the committee began the drafting of legislation. This draft was presented to the chairman of the Commission for discussion by the Commission, which met in Memphis, Tennessee, on Tuesday, December 13, 1955.

The committee met in Jackson, Mississippi, on Monday, December 19, 1955, with the Commission for the purpose of finalizing the proposed legislation. After a general discussion the Commission expressed its opinion that the drafted legislation was in accordance with their desires and recommendations, and the committee was of the opinion that the draft covered the recommendations of the Commission.

As a result of the work of the committee, Messrs. Morrow, Gardner, Richardson and Smith introduced the bill in the House of Representatives of the Mississippi Legislature. While the bill was under study in the Legislature, assistance was rendered to the chairman and several members of the House Water and Water Resources Committee and to the chairman of the Senate Water and Water Resources Committee.

House Bill No. 232 was passed by the Legislature and approved by the Governor, and by House Bill No. 1010, as approved by the Governor, the Mississippi Legislature appropriated $160,000 for the biennium beginning July 1, 1956. Copy of House Bill No. 232 as approved by the Governor may be found in Advance Sheet No. 10, page 14.

It was the purpose of your committee to take only the recommendations and desires of the Mississippi Water Resources Policy Commission and to draft legislation for it without injecting any personal views as to endorsement of the legislation. Your committee in no way left the impression or understanding that there was an endorsement

by the Mississippi State Bar. It was the complete understanding of the members of the Commission and of the committees of the Mississippi Legislature that any connection had therewith by the Mississippi State Bar was purely one of cooperation with the Commission so as to enable the Commission to complete its report to the Legislature.

COMMITTEE REPORTS—JUNIOR BAR

REPORT OF CODE STUDY COMMITTEE

The work of your Code Study Committee largely has been performed in cooperation with the Code Study Committee of the Mississippi State Bar Association. Your committee has met with the senior bar committee and has assisted that committee in the performance of its duties. Inasmuch as Judge W. N. Ethridge, Jr., Chairman of the Code Study Committee of the State Bar, has prepared a written report and will present it to the convention, this report will not duplicate what is contained therein. Suffice it to say here that your committee wholeheartedly approves Judge Ethridge's report, and urges that its recommendations be followed.

Several joint subcommittees composed of members of your committee and members of the senior bar committee have made thorough studies of several important problems. It was not possible to complete the work on these subjects in time to present statutes to the 1956 legislature. Therefore, it was the decision of the committee to compile as much data as possible and to pass it on, together with our recommendations, to the 1956-1957 Code Study Committee for completion and preparation of proposed legislation. The subjects which received the attention of the Code Study Committee and our recommendations are as follows:

1. *Appointment of Personal Representative for Persons Incompetent Because of Illness or Injury.* The committee recognizes a need in this state for legislation authorizing the appointment of personal representatives, in the nature of guardians, for persons who because of severe illness or injury may be incompetent, but not actually insane. Frequently we see cases where a person will suffer a stroke or be severely injured in an automobile accident and will actually remain unconscious for weeks at a time. The same is true with persons suffering with various degrees of senility due to the ravages of age. Serious interruption of business frequently results to the detriment of the injured person and his family.

Probably our laws with reference to the appointment of guardians for persons non compos mentis are adequate to cover a situation such as this. However, the historical use of this procedure has been limited almost exclusively to mental incapacity resulting from insanity. Consequently, right or wrong, a certain stigma has been attached to a non compos mentis proceeding which is usually avoided by the interested relatives until they are compelled by necessity to submit.

Our committee feels that a new approach to the problem which would accomplish the same results, but perhaps under a different name, would be beneficial. With this in mind we have carried on correspondence with members of the Committee on Management of Infants' and Incompetents' Property of the Section of Real Estate, Probate and Trust Law of the American Bar Association and with selected prominent attorneys in various states including Alabama, Arkansas, Florida, Illinois, Louisiana, Michigan and New York. These attorneys have been most cooperative and have furnished us with copies of statutes in most of those states. We find that the State of Florida perhaps has made the greatest step in the desired direction by providing for the appointment of a curator "to take charge of, manage and conserve the property of any per-

son . . . who shall become physically incapacitated, or feeble minded, or epileptic, or so mentally or physically defected by reason of age, sickness, use of drugs, the excessive use of alcohol, or for other causes that he or she is unable to take care of his or her property, and in consequence thereof is liable to dissipate or lose the same, or to become the victim of designing persons." Their statute further provides for a termination of the proceedings when the ward shall become able to properly care for himself or his property.

It is the recommendation of the committee that appropriate legislation be drafted to provide a simple, efficient and workable procedure for the appointment of a personal representative of such incapacitated persons to be called "curator," or "conservator," or some other appropriate name to distinguish the representative from the normal guardianship, and we urge the succeeding committee to continue this study.

2. *Advertisement for Competitive Bids on Public Works.* An analysis of the various statutory provisions for letting contracts for public works on competitive bids and providing for advertisements therefor indicates that there is a wide discrepancy between requirements for advertisements for bids on public works or public purchase among the various state, county and other political subdivisions and agencies. It is found that one requirement is specified for counties and hospital trustees, still another for institutions of higher learning and junior colleges, and another for the state highway department. There are still different requirements for purchase of fuel and heat and for stationery and printing. There is still another requirement for municipalities. Some of the statutes require some advertisement without specifying how many advertisements or for what length of time. There is absolutely no uniformity in these statutes.

The committee found—to its surprise—that the law does not even require that construction contracts let by the State Building Commission be let upon competitive bids. This agency, as you know, is one of the largest spending agencies of the state.

The committee has concluded that further study of this problem is necessary and that it should be conducted by subcommittees with reference to each classification of political subdivision or agency. That is to say, one subcommittee should study the problem from the standpoint of municipalities, one from the standpoint of boards of supervisors and other county agencies, one from the standpoint of statewide agencies, and perhaps another from the standpoint of institutions of higher learning and similar state institutions. The findings and recommendations of these subcommittees should then be consolidated and harmonized and legislation should be drafted which will bring about some degree of uniformity in advertisement requirements, recognizing, of course, that there probably should be some different requirement for statewide agencies than for local political subdivisions. We recommend and urge the succeeding committee to continue this study and draft effective legislation leading toward uniformity.

3. *Jury Qualifications.* Many counties are experiencing considerable difficulty in having available sufficient qualified jurors to handle the business of circuit court. At the suggestion of one of the circuit judges having such difficulty, a subcommittee was appointed to study the matter of jury qualifications and particularly the existence of numerous exemptions from jury service and to make recommendations as to possible changes in the law which will result in more qualified jurors being available. The report of this subcommittee is so complete, and it has been adopted by the committee, that it is incorporated in full in this report. With respect to this topic this subcommittee makes the following recommendaions:

First, appropriate amendment of Section 1762, Mississippi Code of 1942, so as to

eliminate the present restriction as to "male citizens" and to incorporate therein female citizens of this state as competent jurors. In this regard there was a divergence of opinion in the subcommittee as to whether or not female jurors should be initially placed on the same basis as male jurors with respect to requirements of service. The party favoring such action seemed to feel that the matter of actually requiring jury service of a female upon whom such service would work a hardship (because, for example, of the responsibility of small children at home) was one which would address itself to the sound discretion of the court and would be handled by the court in a judicious manner. However, a majority of the subcommittee was of the opinion that, as an intermediary step between non-jury service and jury service by female citizens, it would be well to initially make such service on a voluntary basis. This would serve to satisfy those female citizens now voicing their desire to be removed from the category of "second-rate citizens" and allowed to serve on juries; and at the same time, would relieve from such service those who, because of responsibilities of home and young families, or otherwise, did not desire to serve.

The second recommendation of the subcommittee is that there should be eliminated from the provisions of Section 1764, Mississippi Code of 1942, as amended, the language of the first paragraph thereof beginning with the words "all teachers and officers of public schools" and ending with the words "actually engaged in their calling," and the further words "all telegraph operators" and "all members of fire departments in towns and cities having four or more paid members of such fire departments." In the opinion of the subcommittee, there is no valid present day justification for the enumerated exemptions.

Third, a majority of the subcommittee also recommends that serious consideration be given to amending Section 1765, Mississippi Code of 1942, so as to change from two years to one year the period of time within which one who has served on a regular jury panel shall have the privilage of claiming exemption from jury service. Also, in view of the ever increasing longevity and general better health of our citizenry, the subcommittee doubts that there now exists any valid reason for granting the privilege of claiming exemption to persons over sixty years of age. The subcommittee feels that the matter of requiring jury service of a person of such age is again one addressed to the sound discretion of the court, and that this privilege should either be eliminated entirely or the age limit raised substantially.

Fourth, although not strictly within the purview of the topic assigned for study, the subcommittee further recommends that consideration be given to the feasibility of drafting and procuring the enactment of legislation which would require so called "blue ribbon" juries in certain types of complicated cases. As you are aware, there are a number of states which now have statutes requiring that, in certain designated categories of litigation, which, by their very nature, are highly complicated and difficult of understanding, certain minimum educational requirements be met by prospective jurors in such cases. The subcommittee recognizes that there are many ramifications to this suggestion, and wishes to point out that the matter herein contained is but a suggestion, and that the subcommittee is not recommending the enactment of such legislation but is only stating that, in its opinion, the subject warrants further study and consideration.

That concludes the report of the subcommittee on jury qualifications.

Now, the fourth subject which the Code Study Committee dealt with had to do with the *service of process on personal representative of deceased motor vehicle operator.* Most states have a statute which provides that a non-resident motor vehicle

operator, by use of the highways, appoints one of the designated state officials as his agent for the service of process in any action from an automobile accident therein. There was considerable conflict among the authorities as to whether such statutes provided for the service of process in such accidents where the non-resident motorist is killed or subsequently dies before suit is filed. Many courts held that the statute created an agency which necessarily terminated with the death of the principal and that his estate could not be subjected to the jurisdiction of the state courts under the statutes.

The Mississippi Legislature, evidently in an effort to remedy the situation in Mississippi, enacted Chapter 229 of the General Laws of 1955, which appears as Section 9352-61 in the supplement to the Mississippi Code of 1942. However, the act as passed by the legislature and as it appears in the Code is incomplete in that evidently one or more lines of the proposed statute have been completely omitted and the result is that the statute is extremely confusing, if not wholly unintelligible. (Those of you who have read that thing know that something was left out of it. We don't know how much, because we don't have the original act introduced by the legislature, but right in the middle of a sentence it just jumps to a completely different subject matter.) The committee recommends that this statute be redrafted and simplified and particularly that there be included language similar to that in the New York statute to the effect that the appointment of the Secretary of State shall be irrevocable and that should the motorist die his estate may be subjected to litigation by such service. It is our recommendation that the succeeding committee continue this effort.

REPORT OF THE ESTATE PLANNING CONFERENCE

First, I would like to take the Estate Planning Council of Mississippi and tell you a little bit about it, just what we are doing, with the hope that more of the attorneys throughout the state will join the Estate Planning Council.

The Estate Planning Council is an organization that was organized about two and a half years ago. The membership of the Estate Planning Council is composed of persons from our profession, the accounting profession, the trust officers of banks throughout Mississippi, and life underwriters. The purpose in the formation of the Estate Planning Council was to provide an organization that would concentrate its effort in the estate planning field in order to bring about a continuing education of the four interested groups in the work of estate planning. Estate planning has become a highly complicated field and also a field to which more attention should be devoted by attorneys in order that a more efficient disposition of the estates of clients can be arranged, and therefore the main purpose of the Estate Planning Council of Mississippi is to carry on the work of continuing education of the members of the Estate Planning Council in estate planning work.

One of the primary things that we devote a lot of attention to is taxation, particularly federal taxation, insofar as it applies to estate planning, which not only involves federal estate taxes, but also involves income and gift taxes. Now, the Estate Planning Council has five meetings a year here in Jackson. Two of those meetings each year are panel discussions of a hypothetical problem that has been formulated by the program committee. We have a complete hypothetical case giving a history of the family involved and also details as to assets, liabilities and net worth of various members of the family. We have the hypothetical case sent out ahead of time to all members of the Council, and, at the same time, the four members of the Council who are to discuss that case before the membership are preparing their solution of the problem. Then at the meeting we hear the solution of each member of the panel, how they

recommend that the will be drawn, what life insurance would be needed in order to get over the various problems in the particular case, an indication of where a trust would be desirable, and an indication of management that would be needed in order to go about disposing of the estate.

Then at the annual meeting we bring in speakers, authorities in other planning fields. We have had Joseph Trachtman of New York City, William Murray of New York City, John Todd of Chicago, to name a few. We have a membership of about ninety, and I have not yet heard a member who has not spoken with enthusiasm. I tell you this with the purpose of urging all lawyers in Mississippi to become members of the Estate Planning Council, because I believe at every meeting you attend you will learn something that will be beneficial to you and your clients.

Now, a brief word of the meeting held annually at Ole Miss this year. The conference, held in the latter part of May, was attended by a hundred and twenty or thirty persons throughout the South. We think we had an excellent Estate Planning Conference meeting. Most of it was devoted to estate planning. We had Mr. Trachtman, William Murray of New York City, James Comer of Gastonia, North Carolina, and Postell Herbert of Union Planters Bank in Memphis, Tennessee. The conference always lasts a day and a half, starting on Friday, ending on Saturday at noon. I am proud to say that everyone I talked to thought that we had an excellent conference, that everybody got a lot of good bread-and-butter knowledge out of the conference. So I urge all attorneys to join the Estate Planning Council, and also urge attorneys to begin attending the Estate Planning Conferences at Ole Miss.

REPORT OF THE ETHICS COMMITTEE

Your Ethics Committee met in December, 1955, and in March 1956, at which time lengthy business sessions were held on various subjects of ethics. Some of the modern day problems of ethics of the profession were discussed in detail. In addition to those two meetings, your chairman attended three executive committee meetings of the Junior Bar during the course of the year.

Copies of the rules of professional conduct and by-laws of the Mississippi State Bar were furnished the entire committee and the committee carefully studied the rules and by-laws, especially the by-laws dealing with the powers of the Junior Bar Section.

It was conceived by your committee in the inception that it should seek to learn, first of all, of any problems of ethics which were confronting the members of the Bar. Next it was thought that the committee should recommend to the State Bar any ethical reform which it felt necessary to meet the problems posed by the members of the Bar to the committee, where the existing rules were not strict enough to prohibit the particular unethical conduct or practice complained of. The members of the committee agreed that if there were any complaints of violations of existing rules of ethical behavior, that the proper procedure under the by-laws, was to refer any such complaint to the Complaint Commissioner of the Bar. The scope of work of this committee, then, was merely to furnish recommendations for changes in the rules of professional conduct, to strengthen the existing rules to meet new and additional problems which did not exist at the time the rules were first established. It was felt that any matters of enforcement should be left entirely to the local and State Bar Associations.

The work of the committee was retarded in the beginning due to lack of a permanent file containing past proposals for revisions of the rules of ethics, a roster of the

Junior Bar, and a record of the names of persons who had previously served on the ethics committee. Eventually all of this data was collected and has been placed in a permanent file which will be turned over to the chairman of the succeeding ethics committee. It is suggested that the file and its contents be perpetuated, for the benefit of each administration to follow.

The ethics committee of the Junior Bar each year has made some form of report to the Mississippi State Bar and some of these reports are recorded in the *Mississippi Law Journal*. A reading of the reports reveal that although constructive suggestions were advanced in the field of ethics no definite reform or revision in the rules was advocated.

The committee does not mean to imply that each year it will be wise or necessary that the rules of professional conduct be amended, but, on the contrary, it is the hope and expectation of the committee that ethical conduct will remain on a very high level and that pressure from the profession in every day practice and personal contact will reduce the possibility of any need for strengthening the rules of conduct. However, your committee was apprised of some very definite need for changes in the present rules and frank discussions were had at the business sessions of the committee on certain unethical practices or conditions in local bar associations throughout the State, the rules governing which were thought to be inadequate. The following subjects ranked high for action of the committee:

1. *The failure of certain judges to recuse themselves from sitting where the litigants or either of the attorneys is related by kinship to the judge or where, by such other tie or interest in a particular cause, common knowledge, decency, and respect for the profession and the bench dictate that he should not sit as judge.*

There is a seemingly growing rationalization of a few judges that it is possible to sit as judge in causes in which good sense and common decency dictate that they should not be involved as judges. The committee has given a careful reading and study to the Mississippi Code of 1942, Section 1651, which is designed to prohibit the exercise by a judge of his judicial powers in causes where he cannot sit impartially. That section of the Code does not include a prohibition against a judge sitting in an informal hearing or the signing of an order in a cause in which it can be said that he has a definite interest but merely prohibits his so presiding "on the trial of any cause." Furthermore, the section does not prohibit a judge so involved from presiding in a cause where one of the counsel are related to him by consanguinity or affinity but merely when one of the litigants is so related to the judge. While your committee recognized that connection between judge and counsel by affinity sometimes represents such a remote relation that it should not always be mandatory for the judge to recuse himself because of relation by marriage, the committee nevertheless feels that where there is a blood relationship between the judge and counsel there definitely should be a disqualification of the judge to preside at any sort of hearing of the cause whether formal or informal, contested or uncontested.

2. *The creeping advance of subtle types of advertising, especially the practice of having imprinted upon wooden-case lead writing pencils a lawyer's or a law firm's name and buying these pencils in large lots or quantities. These articles have recently been (inadvertently perhaps) distributed or circulated outside of the law office, and have been found by the committee members in homes, business offices, and in public places.*

Your Committee has collected throughout the course of the past year several wooden-case lead writing pencils, with Mississippi lawyers' or law firms' name printed on them. The quantity purchased by each individual or firm is not known, but the

pencils have been found in public places, picked up, and are retained as confidential matter in the committee's files. Whether deliberately circulated or not, this committee submits that the mere printing upon cheap, dispensable items and buying them in large quantities, whether used strictly inside the law office or without, is a reprehensible practice that should be enjoined before it acquires any popularity and should be condemned by the entire Bar Association. It is not contended that a lawyer's name should never be printed upon any of his property. The problem arises only where cheap dispensable items with the firm's name or lawyer's name thereon are bought in large quantities.

It may be conceded that there are certain members of the profession who could use these articles in such a careful manner that no discredit would fall upon the profession whatsoever. It is further recognized that certain lawyers or law firms within the state may presently have these pencils in their possession as a result of a donation to some worthwhile charity which printed the pencils in exchange for the gift, or may have purchased them directly for the purpose of identifying their personal belongings. Nevertheless, it is felt that the purchase of this class of items or the practice of name-printing on these small articles poses such a large threat to the dignity and respect which should be accorded the profession that those lawyers or law firms which now have the pencils in current use should be willing to make the necessary sacrifice involved in abandoning their use.

3. *The indiscriminate and promiscuous sending of greeting cards by members of the profession, and especially the sending of such cards in the name of the attorney, followed by words denoting the profession. Also repugnant is the sending of such cards in the name of a law firm even without being accompanied by words denoting the profession.*

An attorney should not be precluded from sending greeting cards, on occasions when greeting cards are ordinarily exchanged, in numbers as large as he may choose. However, greeting cards are customarily exchanged between persons bearing close personal relationships to each other. We conceive that the sending of such cards by an attorney where such relationship does not exist is unwarranted, damages the spirit of the gesture, and seriously affects the esteem of the public toward the bar.

Since the relation is of necessity personal, what logical reason can there be for sending such cards in the name of a law firm, or for adding to the sender's name, "Attorney at Law," or the like? We think none, and that the Mississippi State Bar Association should condemn such practices.

It is felt that the sending of greeting cards by firm name even though not followed by words indicating the profession should definitely be prohibited in its entirety regardless of the relation between sender and the recipient of the cards.

4. *The committee was apprised by members of the Bar throughout the state that certain lawyers have allowed their name to be listed in church journals, circulars, and church cook books, or the like, through donations, without admonishing the donee of the contribution to refrain from listing his name, followed by words denoting the profession, and it is felt that a sound amendment to Section 27 of the Rules to prohibit this practice would benefit all of the members of the Bar, and clarify the section on advertising.*

5. *The appalling increase of disrespect and lack of a sense of honor accorded the court and court room by members of the public and litigants, due in a large measure to the inadvertent relaxation by members of the bar and bench of the*

standards of court room conduct and deportment, and the need for written standards of court room conduct which will engender and recreate for the court and court room, greater dignity and respect from the members of the public.

The committee has carefully studied the resolution recently adopted by the Coahoma County Bar Association in regard to standards of court room conduct and deportment and the committee recommends the adoption of those rules with certain changes.

The Ethics Committee is fully cognizant that it is impossible to draft rules of professional conduct which shall be completely comprehensive of all the missteps of the profession without containing outlets for those who would evade the rules. The attitude toward reform has, however, been so prevalent that it has served as an excuse to avoid the enactment of rules which would lend considerable clarification to certain questionable practices and conditions, and should no longer serve as a barricade to good reasoning and the enactment of those rules which may be conceded to be progressive, fair and helpful to the majority of the members of the Bar, both as a guide to their conduct and as a means of prosecuting with effect persistent reproachful conduct of the small minority.

The committee therefore has adopted and herewith submits certain recommendations asking for the action of the entire Bar in these particulars of reform which the recommendations suggest. Your committee believes that the enactment of these changes will greatly improve the conditions mentioned above. Long hours of study and careful thought have been given to the choice of each of the words used in the proposals for changes in the rules, or in the law governing the practice of the profession, and the committee feels that its work will have been in vain without the taking of definite action by the Mississippi State Bar Association of approving or disapproving the recommendations.

The committee does not deceive itself to believe that the proposals are any panacea, or that they will assure improvement. It only submits that the following changes are ones which the committee considers basic, minimum and immediately needed:

Recommendation 1: That the Legislative Committee of the Mississippi State Bar be authorized and instructed to seek to have enacted into law at the next session of the Mississippi Legislature the following amendments to Section 1651 of the Mississippi Code of 1942, to the end that Section 1651 shall read as follows:

> JUDGE NOT TO SIT WHEN INTERESTED OR RELATED. The judge of a court shall not preside on the trial or informal hearing of any cause where the parties or either of them or where either or any of the counsel trying said cause or informal hearing, or counsel engaged in the practice of law with any of counsel trying said cause or informal hearing shall be connected with him by affinity or consanguinity. This provision shall extend to and prohibit the signing of an order by a judge in any cause where a party or parties or counsel aforesaid are so related. Provided that the prohibition against sitting as judge where so related by affinity as aforesaid shall extend only to and include the father-in-law, son-in-law relation.
>
> The judge of a court shall not preside over any cause where he may be interested, or wherein he may have been of counsel, except by the consent of the judge and the parties.

Recommendation 2: That Section 27 of the Rules of Professional Conduct of the Mississippi State Bar be amended to include therein the following:

The practice of a lawyer or a law firm writing or printing upon or causing his or their name or firm name to be written or printed upon lead writing pencils, fountain pens, or ink blotters or any and all other such items customarily purchased in quantities exceeding one or two of such items, regardless of whether actually purchased in large amounts or not and regardless of whether distributed outside the lawyer's or firm's office or not, is hereby prohibited. This prohibition however shall not be construed to restrict the giving or receiving or purchasing by attorneys or law firms of fountain pens or mechanical pencils or combination pen and pencil sets with the individual owner's name alone inscribed on such articles where the intentions of the attorney or law firm giving or receiving such gifts or making such purchases is limited to the use of such articles in law offices or to be carried on the lawyer's person and to remain his personal or private property.

Recommendation 3: That Section 27 of the Rules of Professional Conduct of the Mississippi State Bar be amended by the addition of the following paragraph:

The sending of greeting cards by an attorney or law firm where there is imprinted upon such card or cards the law firm's name or where there is, following the individual's name thereon, any word or any other inscription indicating the profession, regardless of how close the relation of the person to whom such cards are sent, is hereby prohibited.

Recommendation 4: That Section 27 of the Rules of Professional Conduct of the Mississippi State Bar be amended by the addition of the following paragraph:

It shall be the duty of every attorney when making donations to any and all journals and circulars, church cook books and the like, to admonish the donee of the contribution to refrain from listing his name, followed by the words denoting the profession, in such journals or other circulars.

Recommendation 5: That the following rules be adopted by the Mississippi State Bar Association as standards of court room conduct and deportment to be observed effective with the opening of all courts of record subsequent to the date of the passage of this amendment by the Mississippi State Bar to Section 29 of the Rules of Professional Conduct of the Mississippi State Bar:

1. All judges and chancellors will wear judicial robes during all sessions of their court, except when in the judgment of a judge or chancellor a matter before the court is of such nature as justifies an informal hearing.

2. All persons in the court will stand while the court is being opened and while the court is being adjourned.

3. All orders, judgments and decrees will be handed the court through a court attendant and lawyers will not approach the bench from the bar except when directed by the judge or chancellor.

4. There will be no eating or drinking in the court room, water excepted.

5. All lawyers and court attendants will wear coats and ties while in attendance in the court.

6. Upon a judge or chancellor entering a court room preparatory to the formal opening of the court, the sheriff will call the court room to order, directing all in attendance upon the court to stand, and upon being so instructed by the court, will open the court in substantially the manner following:

"Hear Ye, Hear Ye. This Honorable ..... Court of County, Mississippi, is now opened for the transaction of business pursuant to adjournment. All persons having business with the court draw near, give attention and you shall be heard. Be seated, please."

Thereupon the judge or chancellor shall take his seat upon the bench and those in the court room will be seated.

7. Upon a judge or chancellor instructing the sheriff to adjourn the court for the day, the sheriff will direct all in attendance upon court to stand, as will the judge or chancellor, and adjourn court in substantially the following manner:

"This court now stands adjourned until tomorrow morning at ..... o'clock, (or until a day set)."

8. All officers bearing firearms shall be so clothed while in the court room that their firearms will not be visible to the public.

9. An officer shall not remain armed while testifying.

10. No photographs shall be taken in the court room while the court is in session; no broadcasts or television shall be sent from the court room while court is in session.

11. No demonstration and no applause shall be permitted in the court room.

12. Neither a successful litigant nor his attorney shall thank a juror or jurors or the judge for a favorable verdict.

13. No political speech, no speech soliciting funds, no speech of a similar nature shall be made in the court room while court is in session.

14. Sheriffs and attendants upon courts will be charged with the responsibility of requiring compliance with these standards of court room conduct and deportment.

REPORT OF THE INSTITUTES COMMITTEE

The Committee on Institutes of the Junior Bar Section, Mississippi State Bar Association, was formed at the direction of the president of the Mississippi Junior Bar Section, with Joe R. King as Chairman. This committee and the services thereof were made available to the chairman and co-chairman of the Committee for the Mississippi Law Institute to be held in Jackson, Mississippi, in the early part of December, 1955. The Committee on the Mississippi Law Institute cooperated in every respect with the Institutes Committee and brought an informative and instructive program to those in attendance at the Mississippi Law Institute, at Jackson, Mississippi. The complete report of the Committee on the Mississippi Law Institute will be given by the chairman of that committee.

It is recommended by this committee that the chairman and membership of the Committee for the Mississippi Law Institute be commended for the splendid work and accomplishment evidenced by the 1955 Mississippi Law Institute held at Jackson, Mississippi.

REPORT ON LEGAL AID

At the latter part of the fiscal year last year the Junior Bar president appointed a small committee to study the possibility of a program of legal aid on a state basis and to make recommendations to the Association. Although the time was short, the com-

mittee was able to obtain a great deal of literature and information, and also the opinions of a number of lawyers throughout the state concerning this matter. This speaker had the privilege of making the report last year.

The first question that confronted the committee was whether there was a need for a state legal aid program in Mississippi, which is primarily made up of rural population. I should like to refer you to last year's report which begins on page 328 of the October, 1955, issue of the *Mississippi Law Journal*. The conclusion of the members of the committee was that there was a definite need for a state program.

As an example of this need, I should like to review the activities of the Legal Aid organization in Jackson. During the calendar year 1955, the Jackson Legal Aid office handled to completion 197 cases:

A. *Cases of legal aid service*:
   1. Pending on the first of the year 2
   2. Opened during the year 199
   3. Pending on December 27, 1955 4

B. *Sources of cases*:
   1. Referrals from lawyers 48
   2. Referrals from social agencies 102
   3. Referrals from employers 13
   4. Clients served previously 9
   5. Others 27

C. *Nature of cases*:
   1. Problems of an economic nature 18
   2. Family problems 152
   3. Problems involving property 9
   4. Others 20

D. *Services rendered on cases*:
   1. Consultation only 56
   2. Consultation and referral 71
   3. Consultation and negotiation 10
   4. Cases referred:
      a. To social agencies 16
      b. To private attorneys 14
      c. To others 9
      d. To volunteer attorneys in the Legal Aid organization 28
   5. Cases completed through litigation 41
   6. Cases terminated after partial service 14
   7. Cases re-opened 1

Since the committee felt that there was a definite need for a state legal aid program, we recommended that a standing Junior and Senior Bar Joint Committee be appointed. It was our thought that the actual furnishing of legal aid is a local problem, one primarily the responsibility of the county bar associations. The purpose of the state committee would simply be to encourage and assist in the establishment of county legal aid offices under the supervision of committees of the various county bar associations, and to supervise the referral of legal aid applications to the proper legal office.

We recommend that the state committee be authorized to use the facilities of the offices of the State Bar secretary.

REPORT OF MISSISSIPPI LAW INSTITUTE

The Tenth Annual Law Institute, held in Jackson last December, was directed by this committee under the chairmanship of Paul Alexander of Jackson, and I know you will agree with me it was a wonderful program. We had outstanding attorneys from Connecticut, Oklahoma, Alabama, Tennessee, Louisiana and Mississippi. We had a program on automobile liability coverage and the child's clinic.

In the last few years we have run into one problem, and that is that we have a tremendous crowd at the banquet and the Robert E. Lee Hotel is simply not large enough. This year we have eliminated that problem. The Institute for the first time will be held on December 7th and 8th here at the Edwards Hotel. I am sure we can handle as many people as can come. We hope to have a different type program for you, with outstanding speakers. We hope you will help us to make the Mississippi Law Institute a midwinter meeting of the Bar Association.

REPORT OF PUBLIC RELATIONS COMMITTEE

This committee has been divided in four (4) principal sub-committees:

The first subcommittee, Radio-TV Publicity, developed plans to carry on a series of radio and television programs under the "You and the Law" theme previously developed by the Jackson Junior Bar Association. The subcommittee recommends that these plans be continued in the work of the committee next year, with particular emphasis on cooperation with the Jackson Junior Bar Association whose membership resides at the location of the present major television outlets in the state. The radio series, as successfully undertaken previously, should be made available in mimeograph form to the bar membership in any interested areas of the state. The committee's experience has shown that both radio and television stations will supply time on a public service basis, free of charge, if interested bar members will provide suitable program material. One of the principal needs of this part of the program is an adequate monthly budgeted sum to cover the cost of program materials, props, films and other visual aids to make the panel discussion type program more interesting, and, in the case of television, more eye appealing.

The second subcommittee was Medico-Legal Relations. Contacts were made with the Cincinnati, Ohio, Bar and the Chattanooga, Tennessee, Bar designed to develop a series of meetings between the medical and legal professions through their local organizations over the entire state. The committee suggests that these plans be carried into effect as soon as possible and that the ideas and programs developed in this year's work be used as the basis for these meetings. The committee further suggests that the pilot meeting be held in Jackson, Mississippi, and that the programs and theories found best workable there be used as a basis to broaden the program over the entire state. It is suggested that it should be one of the principal purposes of these meetings to develop a code of standards and ethics governing the relations of the lawyer and doctor in their association with the courts and commissions before whom they appear.

The third subcommittee was Newspaper Publicity. Plans were developed with the cooperation of Standard Mat Service of Jackson, Mississippi, to send out weekly mats to all newspapers published in the state. These mats, co-ordinated with the television and radio series "You and the Law," would discuss some different practical problem each week, which would require a lawyer's advice and work, and would point out to laymen the dangers involved if the matter were handled without proper or adequate legal help. This subcommittee plan would require a budget of twenty-five dollars per month. This would cover the entire cost to the Bar Association of this very

valuable public information feature. The columns for the mats would have to be prepared by the individual members of the subcommittee. The mat service would be furnished at a nominal charge and the only other expense would be required in connection with postage and mailing costs.

The last subcommittee was the Speaker's Bureau Subcommittee. This subcommittee planned a series of addresses throughout the state to various Rotary, Lion and Kiwanis Clubs. The basic plan developed was to provide, through members of the subcommittee, a pool of speakers prepared to discuss the relationship of the lawyer in the community and the work done by lawyers. The existence of such a pool of potential speakers would then be made known to the program committee of each of these three service clubs over the state. If sufficient cooperation is obtained in these areas, the plans are to broaden the program, take in chambers of commerce, American Legion and VFW Posts and other civic and service clubs. A minimum subcommittee budget appropriation will require at least $100 for the year's work to cover the necessary expense of circularizing the named service clubs. If the work is broadened outside this area, an additional budget amount should be provided.

This Committee recommends that the plans developed by this year's work be energetically undertaken by our successors.

REPORT OF UNAUTHORIZED PRACTICE OF LAW COMMITTEE

This committee began functioning immediately after its appointment and held several meetings during the year. At the meeting of the Executive Committee at Oxford, Mississippi on October 22, 1955, and also in Jackson the early part of this year, various methods of curbing the unauthorized practice of law were discussed and it was concluded that the unauthorized practice of law is a local problem and should be dealt with accordingly. Various committeemen were appointed in all parts of the state to calculate and bring to attention any violations and in only one instance was there brought to the attention of the committee a situation that demanded attention. In that instance a letter was personally addressed to the circuit clerk and chancery clerk, the sheriff, and the head of each real estate agency. Copies of Sections 2332 and 8682 of the Code were included with each letter, except those to the clerks and the sheriffs, and in these letters a copy of Section 8669 was enclosed. No further violations were reported after this action was taken and in fact this was the only potential violation that was reported to your committee and from a state wide basis your committee finds that although there may be isolated instances of the unauthorized practice of law, the state as a whole is not blighted with any unauthorized practice of law problems at this time.

APPENDIX B

DIRECTORY

MISSISSIPPI STATE BAR

SEPTEMBER 1, 1956

ABERDEEN

Richard B. Booth
J. M. Coleman
William Sessions Dickson
205 High St.
G. M. Holmes
Drawer 110
133 E. Commerce St.
D. W. Houston, Jr.
Watkins Bldg.
George W. Howell, Jr.
Box 476
McDuffie Bldg.
Robert D. Patterson
Box 136
Johnny N. Tackett
Box 157
John S. Therrell, Jr.
Box 424
William S. Turner
Box 386

ACKERMAN

Jack B. Carlisle
William Dewitt Coleman
James Dennis Dobbs
Robert E. Nason
Bennett E. Smith

AMORY

John E. Johnson
James A. Pinnix
Baird Bldg.
J. O. Prude, III
Box 124
Jack N. Thomas
Box 267
Fred P. Wright
Griffin Bldg.

ASHLAND

J. Marvin Crawford
John B. Farese
L. Hamer McKenzie

BALDWYN

Judge Allen Cox
Federal Court
W. H. Cox
M. Paul Haynes

BATESVILLE

Dennis M. Baker
J. B. Boyles
Hill Jarratt
D. R. Johnson
Box 288
Hannis E. Platt
13 Harmon Dr.
Robert T. Riser
Arnold R. Smythe

BAY SPRINGS

William Harrison Alexander
J. A. McFarland, Jr.
Robert H. McFarland
Charles R. Mayfield
Box 251
Marvin O. Oates
Box 25
O. M. Oates
Box 25
Roy L. Osborne
J. L. Thompson
J. E. Ulmer, Jr.
Box 1

BAY ST. LOUIS

Joseph H. Benvenutti
300 Toulme St.
Mrs. Evelyn Hunt Conner
Box 281
Sam Leroy Favre
Box 323
R. L. Genin
Genin Bldg.
Lucien M. Gex
Merchants Bank &
Trust Co. Bldg.
W. J. Gex
Merchants Bank &
Trust Co. Bldg.
Cornelius Joseph Ladner
Box 412
Walter J. Phillips
Merchants Bank & Trust
Co. Bldg.
Dan M. Russell, Jr.

BELMONT

L. P. Allen, Jr.

BELZONI

James T. Bridges
Box 322
45 Church St.
V. B. Montgomery
Box 277
L. G. North
Irby Turner, Jr.
Hugh R. Varnado
Box 277
Lucian R. Wadlington
Box 355
W. D. Womack, Sr.
W. D. Womack, Jr.

BEULAH

Dixon Dossett

BILOXI

Lynden Bowring
941 E. Beach
F. G. Cody
406 Benachi
Lawrence C. Corban
Box 2
Peoples Bank Bldg.
L. C. Corban, Jr.
Box 2
L. H. Doty
1730 W. Beach
Judge Leslie B. Grant
Cricuit Court
Daniel D. Guice
First Bank of Biloxi Bldg.
Jacob D. Guice
First Bank of Biloxi Bldg.
W. L. Guice
Box 153
Louis Hengen
215 Barq Bldg.
Mrs. Clare Sekul Hornsby
Barq Bldg.
Carroll B. Ishee
Box 646
Albert S. Johnston, Jr.
Box 214
James S. Love, Jr.
Hotel Buena Vista
Arnaud O. Lopez
Peoples Bank Bldg.
Howard McDonnell
Barq Bldg.
Roy J. McGee
217 Porter Ave.
Wallace Hobson Moree
104 Porter Ave.
Lt. Walter L. Nixon, Jr.
Box 541
Lyle M. Page
Box 222
Charles K. Pringle
Box 23
Victor B. Pringle
Box 24
Pringle Bldg.
Jules A. Schwan
Box 272

John Sekul
203 Barq Bldg.
Lawrence Semski
221 Barq Bldg.
J. D. Stennis, Jr.
Box 24
Pringle Bldg.
E. C. Tonsmeire, Jr.
Peoples Bank Bldg.
H. Warren Tool, Jr.
Box 928
Walter J. Wadlington
Box 2
Peoples Bank Bldg.
Thomas Lyon Wallace
204 Barq Bldg.
Thomas J. Wiltz, Jr.
Box 397
Peoples Bank Bldg.

BOLTON

Albert M. Graham

BOONEVILLE

William H. Brewer
Clarence Chase
Schultz Bldg.
Thomas H. Comer
Box 24
F. W. Cunnngham
Sutherland Bldg.
James A. Cunningham, Sr.
J. A. Cunningham, Jr.
J. E. Cunningham
Ellis W. Finch
Box 46
Donald Franks
James N. Godwin
Box 148
Judge Raymond T. Jarvis
Circuit Court
E. K. Windham

BRANDON

Joe Ragland Bullock
Judge W. E. McIntyre
Circuit Court
W. E. McIntyre, Jr.
John C. McLaurin
James Anthony Morrow, Jr.
J. C. Murray
Box 7
John C. Murray, Jr.
Box 7
J. David Williams

BROOKHAVEN

Emmette P. Allen
State Bank & Trust
Co. Bldg.
E. C. Barlow
State Bank & Trust
Co. Bldg.
Judge Tom P. Brady
Drawer 548
Tullius Brady
Box 115
Charles Emmette Brennan
Box 9
Mike L. Carr, Jr.
Box 263
Buell R. Carty
Box 677
Perkins Bldg.
A. A. Cohn
Panzica Bldg.
J. O. Day
Rt. 2, Box 23-A
Hwy. 84 West
George H. Gulley, Jr.
Box 317
H. W. Hobbs
Box 356
Panzica Bldg.
Henry W. Hobbs, Jr.
Box 356
Robert Edmondson Jones
State Bank & Trust Co.
Bldg.
R. L. Jones
State Bank & Trust Co.
Bldg.
J. F. Noble, Sr.
Box 4
James F. Noble, Jr.
Box 4
R. Pearce Phillips
Storm Bldg.
Mrs. Elsie Cambre Purser
Box 58
514½ W. Chippewa
T. Owen Roberts
Brady Bldg.
R. E. Stratton, III
State Bank & Trust Co.
Bldg.
Terry S. Swalm
Swalm Bldg.
Hugh V. Wall
State Bank & Trust Co.
Bldg.
J. Meredith Wood
Box 1034
Johnson Bldg.

BRUCE

Wilton V. Byars
Jesse Lee Yancy, Jr.
Box 62

CALHOUN CITY

William Walter Brown
Box 146
W. J. Evans
Paul M. Moore

CAMDEN

Edgar Lee Walker

CANTON

James Paul Arbuthnot
James Manning Cain
104 N. Liberty St.
S. Robert Cain, Jr.
William Sterling Cain
Nelson R. Cauthen
Hermon Dean
Joe R. Fancher, Jr.
Box 281
J. M. Greaves
Box 128
G. B. Herring
Box 344
First Natl. Bank Bldg.
Miss Josephine Hood
H. T. Huber
D. C. McCool
Box 172
L. D. North
134 E. Center St.
Percy F. Parker
Levy Bldg.
Robert H. Powell, Jr.
Box 245
Robert H. Powell
Box 245
Tip Ray
R. H. Shackleford
L. G. Spivey
J. Collins Wohner

CARROLLTON

Maurice R. Black

NORTH CARROLLTON

J. C. Neill
W. C. Neill
Peoples Bank & Trust Co.

CARTHAGE

Joe Paschal Barnett
Tom J. Barnett
O. H. Barnett, Jr.
Harold W. Davidson
J. O. Hollis
Albert Sidney Johnston, III
Miss Bonnie Mills
J. H. Sasser
Drawer 31
J. E. Smith
Box 202
A. M. Warwick
Alvin Roy Wright, Jr.
Box 387

CHARLESTON

James A. Blount
J. H. Caldwell, Jr.
Drawer 112
George P. Cossar

CLARKSDALE

William Harold Beck, Jr.
Box 306
William R. Bradley
Coahoma County Bank
Bldg.

E. Cage Brewer, Jr.
Box 306
Ed C. Brewer
Box 306
V. J. Brocato
Box 509
Rodney Brooks
Coahoma Co. Bank Bldg.
John W. Crisler
319-20 McWilliams Bldg.
Chester Harris Curtis
Box 368
Pascal D. Holcomb
Box 368
Joe W. Hopkins
Box 382
Leroy R. Kenneday
U.S.F. & G.
Judge R. H. Kirby
Stovall Lowrey
Coahoma Co. Bank Bldg.
Semmes Luckett
121 Yazoo St.
William O. Luckett
Box 306
Fletcher F. Maynard
Drawer 480
George F. Maynard, Jr.
Drawer 480
George F. Maynard, III
Drawer 480
William H. Maynard
Drawer 480
Leighton S. Miller
Box 715
William D. O'Neal
231 School St.
T. H. Pearson
330 Oakhurst
Leon L. Porter, Jr.
Box 431
Jack L. Ritter
Box 368
J. Lake Roberson
121 Yazoo St.
Shed Hill Roberson
121 Yazoo St.
Harvey T. Ross
Box 339
Tom T. Ross
Box 339
Lester M. Sack
Box 626
Abe Sherman
421-22 McWilliams Bldg.
Charles L. Sullivan
Box 371
J. M. Talbot
McWilliams Bldg.
Charles E. Whitten
E. F. Whittington
Box 181
Howard G. Woodward
Box 287
E. M. Yerger
201 McWilliams Bldg.

CLEVELAND

W. B. Alexander
112 N. Pearman Ave.
William B. Alexander, Jr.
112 N. Pearman Ave.
William H. Bizzell
Drawer 1031
H. F. Causey
Ancil L. Cox, Jr.
C. J. Craggs
C. H. Crump
Joseph C. Feduccia
112 N. Pearman Ave.
Judge Ed H. Green
Circuit Court
Lonnie E. Griffith
Box 552
Robert Milton Hytken
Box 367
Judge Robert E. Jackson
Chancellor
Charles C. Jacobs, Jr.
W. D. Jones
220 Pearson Ave.
Alfred A. Levingston
Drawer 1031
Ben Ferrell Mitchel
Sommerville Bldg.
William E. O'Hare
Box 630
Albert Benjamin Smith, Jr.
Owen Bldg.
John T. Smith
Box 630
Abe D. Somerville
Box 387
A. B. Sparkman
Carmon E. Valentine
127 S. Court St.
John White Valentine
127 S. Court St.
Frank O. Wynne, Jr.
Owen Bldg.

CLINTON

Mrs. Bobby R. Payne
Box 1072
Robert P. White, Jr.
Box 481
Royce L. White
Box 534
Gladstone E. Williams
Box 176

COFFEEVILLE

J. P. Stone
W. I .Stone

COLLINS

William Wallace Allred
Box 263
E. L. Dent
W. W. Dent
J. D. Kervin, Jr.
John K. Keyes
Hugh McIntosh, Jr.
J. Martin Mooney
Miss Bonnie Smith
Marion F. Toms, Jr.
c/o E. L. Dent

COLUMBIA

Vernon H. Broom
203 Newsom Bldg.
Walter Earl Bullock
225 2nd St.
Bernard Callender
310-12 Newsom Bldg.
James Seaborn Dale, Jr.
Box 603
Watts Bldg.
R. H. Dale
Box 623
Judge Sebe Dale
Circuit Court
Maurice Dantin
310 Newsom Bldg.
James R. Davis
Box 129
Ernest R. Duff
216 Newsom Bldg.
Roy J. Goss
210-11 Newsom Bldg.
Toxey Hall
310-12 Newsom Bldg.
Kelly J. Hammond
Box 569
Michael H. Lawless
Newsom Bldg.
Henry Mounger
Suite 216, Newsom Bldg.
Henry E. Pope
Box 569
Ben Mounger Rawls
H. C. Rawls
H. Phillip Singley
309 Newsom Bldg.

COLUMBUS

William Ellis Bearden, Jr.
518½ 2nd Ave., N.
William G. Burgin, Jr.
516 2nd Ave., N.
H. T. Carter
522 2nd Ave., N.
John F. Frierson
Box 744
Charles L. Garnett
Box 1001
Hunter M. Gholson
512 2nd Ave., N.
John H. Holloman
512 2nd Ave., N.
W. H. Jolly
514 2nd Ave., N.
Roger C. Landrum
Box 304
T. W. Lewis, Jr.
Box 152

George L. Lucas
519 2nd Ave., N.
Ben L. Owen
Box 1001
J. S. Reid, Jr.
516 2nd Ave., N.
J. O. Sams
514 2nd Ave., N.
John F. S. Sims
1124 N. 11th St.
W. L. Sims
1124 N. 11th St.
Douglas Clyde Stone
Commercial Dispatch Bldg.
R. C. Stovall
Box 591
W. J. Threadgill
512 2nd Ave., N.
Henry K. Van Every
Box 981
David J. Whitaker, Jr.
207 McGahey Bldg.
Richard L. Watson
1309 4th Ave., N.
Robin Weaver
Box 1003

CORINTH

W. C. Adams
Fernand D. Brackstone
Box 646
H. A. Hopper
Frank K. Hughes
Box 60
715 Foote St.
Ely B. Mitchell
Joe B. Mitchell
509½ Waldron St.
James E. Price, Jr.
Box 866
H. M. Ray
Box 907
William L. Sharp
Box 844
Robert L. Shirley
1403 Magnolia Rd.
Orma R. Smith
Box 488
Cary Stovall
201 Chambers-Liddon Bldg.
N. S. Sweat
Nat'l Bank Bldg.
N. S. Sweat, Jr.
W. C. Sweat, Jr.
W. C. Sweat
B. F. Worsham
Box 146

CRYSTAL SPRINGS

Willie M. Broome
Broome Bldg.
Noel W. Buckley
Box 55
Laurin W. Ware
Box 246

DECATUR

R. H. Day
James B. Everett
Benton R. Gordon
William H. Johnson, Jr.
Box 55

DEKALB

J. H. Daws
J. T. McCully
Box 1456
Miss Helen J. McDabe
Box 1562
Louie P. Spinks
Box 1476

DREW

O. M. Marsalis
Pascal J. Townsend, Jr.
Merchants & Planters Bank Bldg.

DUNCAN

Glover A. Russell

DURANT

Carl F. Drake
Calvin R. King
Box 91
James A. White
101 E. Madison

EDWARDS

John M. Kendrick

ELLISVILLE

W. D. Carmichael
Glender Dennis
L. K. Saul

ENTERPRISE

William M. Estes

EUPORA

J. E. Eudy
W. D. Gary
Walter B. Meek
Judge R. P. Sugg
Chancellor

FAYETTE

Harry L. Corban
R. L. Corban, Jr.

FOREST

T. Marx Huff
Drawer 179
William A. Huff
Drawer 179
Osborn Guyton Idom
James Walter Lee
Box 115
Roy Noble Lee
Howard B. McCrory, Jr.
F. F. Mize
Palace Theatre Bldg.
R. L. Nichols
Drawer 179
Roby L. Stegall
William Carl Thompson
Box 38
O. B. Triplett, Jr.
Box 247

FULTON

J. H. Brown
William Herman Camp
A. T. Cleveland
W. L. Elledge
Percy A. Martin
Box 91

GATTMAN

Ralph Pogue

GLOSTER

James G. Anders
Fred A. Anderson
Walker Jean Carney, Jr.
J. T. Lowery
Amite Co. Bank Bldg.
Joe Upton

GREENVILLE

Roy A. Bennett
Box 127
Edwards J. Bogen
Weinberg Bldg.
Roy D. Campbell
Drawer 663
203 Weinberg Bldg.
Albert F. Cioffi
Box 127
George L. Cottingham, Jr.
Box 655
Greenville Buick-Pontiac Co.
Fountain D. Dawson
Box 2951
Leyser Bldg.
Albert Dickens, Jr.
Box 127
Howard Dyer, Jr.
326 Weinberg Bldg.
Kenneth F. Edwards
Box 216
Weinberg Bldg.
H. P. Farish
Drawer 663
Weinberg Bldg.
Holland O. Felts
Box 298
Joe Ivy Gillespie
429 Weinberg Bildg.
Jerome S. Hafter
429 Weinberg Bldg.
James R. Harland
203 Woolworth Bldg.

Emmet Harty
205-08 Weinberg Bldg.
William C. Keady
Drawer 663
203 Weinberg Bldg.
Ernest Kellner
May Bldg.
Ernest Kellner, Jr.
May Bldg.
Raymond V. Kimble, Jr.
205-08 Weinberg Bldg.
J. A. Lake, Jr.
429-32 Weinberg Bldg.
Robert Hart Lake, Jr.
124 S. Poplar St.
Joseph W. Lloyd
303 Weinberg Bldg.
Robert T. Love
Drawer 650
Philip Mansour
Box 591
Woolworth Bldg.
W. M. McGough
Drawer 660
Weinberg Bldg.
W. L. McIlwain
Box 558
Hainon A. Miller
Box 8
211-12 Weinberg Bldg.
S. Ira Pittman, Jr.
401 Weinberg Bldg.
Judge Zelma W. Price
Box 78
Tony Paul Provenza
517 Walthall St.
Eugene J. Raphael
Box 314
Weinberg Blidg.
James Robertshaw
Box 24
Weinberg Bldg.
George Ramsey Russell
Weinberg Bldg.
John Carl Schmarkey
Box 558
Laurance J. Sievers
418 Weinberg Bldg.
Earl Solomon
Weinberg Bldg.
E. B. Taylor
Box 528
Leyser Bldg.
Judge S. B. Thomas
Chancellor
W. S. Thompson
216 Woolworth Bldg.
Charles S. Tindall, Jr.
429 Weinberg Bldg.
Charles W. Wade
Leyser Bldg.
John C. Webb
211 Weinberg Bldg.
Burwell B. Wilkes
416 Weinberg Bldg.
Joseph E. Wroten
Box 2765
William T. Wynn
429 Weinberg Bldg.

GREENWOOD

Edward J. Antoon
Box 417
A. H. Bell
Drawer 657
William H. Braden
903 Grand Blvd.
Norman C. Brewer
Box 411
210 W. Market St.
Arthur Bruce
Box 442
J. G. Colson
William Lamar Colson
Box 364
1103 Strong Ave.
Ignatius A. Fafinski
210 W. President, Apt. 7
John J. Fraiser, Jr.
Courthouse
W. M. Hamner
Old Bank of Leflore Bldg.
Willie J. Heckler
1107 Mississippi Ave.
Forrest E. Holder
Box 246
Means Johnston
Whittington Bldg.
Judge Arthur Jordan
Circuit Court
O. L. Kimbrough
Box 516
Mrs. Elizabeth G. Kirschten
810 Grand Blvd.
Hardy Lott
Whittington Bldg.
R. Cunliffe McBee
Drawer 657
George Hite McLean
Box 516
Miss Pearl McLellan
1300 Strong Ave.
Gerald J. Montgomery
Paul D. Montjoy
Box 674
W. H. Montjoy
Box 906
Yerger Morehead
Whittington Bldg.
Frank K. Odom
Box 674
H. Talbot Odom
Box 674
Porter Peteet
Whittington Bldg.
James M. Pierce
210 W. Market St.
M. F. Pierce
Wright Bldg.
James C. Pittman, Jr.
Box 674
Judge Charles Pollard
Old Bank of Leflore Bldg.
Gordon L. Smith
Box 906
Richard L. Smith
Aven Bldg.
Nelson E. Taylor
Drawer 865
D. Seth Wheatley, Jr.
115 Howard St.
William M. Whittington
Box 491
W. M. Whittington, Jr.
Box 941
Fred Witty
Box 912

GRENADA

Thomas A. Bell
Box 90
Heath Bldg.
A. M. Carothers
Grenada Bank Bldg.
Jim McRae Criss
117 First St.
Bradford Dye
Box 917
William H. Fedric
Grenada Bank Bldg.
Jay Gore, Jr.
Box 901
F. C. Horton
First St.
John Toliver Keeton
Box 602
William A. Lomax
Grenada Bank Bldg.
Mitchell M. Lundy
17 Evans Bldg.
Marshall Perry
Evans Bldg.
Leon E. Provine
Box 147
William O. Semmes
Box 240

GULFPORT

Bidwell Adam
1607-24th Ave.
E. J. Adam, Jr.
300 Hewes Bldg.
Robert B. Adam
1607-24th Ave.
Frank W. Alexander
Box 810
George W. Allen
Brandon Insurance
Agency
Northrop Bldg.
Joe Drake Arrington
411 Hewes Bldg.
Harold Robt. Barber, Jr.
Box 1023
Ray Bryant
Suite 5, Salloum Bldg.
R. R. Buntin
Box 985
Hewes Bldg.

Everett E. Cook
Box 135
Bruce G. Cornell
506 Hewes Bldg.
David Cottrell, Jr.
Hatten Bldg.
Albert C. Dunn
5th Flr., Hewes Bldg.
James Samuel Eaton
Hewes Bldg.
G. E. Estes, Jr.
Box 810
William Estopinal
Medical Bldg.
Jason H. Floyd
Box 142
Hatten Bldg.
E. J. Ford, Jr.
201 Hatten Bldg.
Charles R. Galloway
307-08 Hatten Bldg.
John M. Gardner
205-07 Northrop Bldg.
D. M. Graham
Medical Bldg.
D. M. Graham, Jr.
Medical Bldg.
P. D. Greaves
Suite 308, Gulf Natl
Bank Bldg.
P. C. Griffin
Box 153
Gaston H. Hewes
Hewes Bldg.
William G. Hewes
Box 454
Hewes Bldg.
Mrs. Viola J. Hilbert
Hewes Bldg.
A. C. Hutto
Box 312
Charles E. Kennedy
310 Fisher Bldg.
Eaton A. Lang, Jr.
Box 759
English Lindsey
Box 373
Hewes Bldg.
Ewart G. Lindsey
Box 998
Edward M. Lindsey
Box 373
Hewes Bldg.
Joseph B. Mackey
Box 850
Frederick J. Manning
Box 810
Judge Luther W. Maples
1403½-26th Ave
Ernest G. Martin, Jr.
Box 985
R. B. Meadows
Hewes Bldg.
Judge Sidney C. Mize
Federal Court
Webb M. Mize
310 Gulf Natl Bank Bldg.
George E. Morse
Box 265
Hatten Bldg.
Mrs. Nancy Wood Morse
Box 265
Hatten Bldg.
Stanford E. Morse, Jr.
Box 265
Hatten Bldg.
Stanford E. Morse
Box 265
Hatten Bldg.
George F. Murrell
Box 4
Harvey G. O'Conor
507 Hewes Bldg.
William R. Owings
Box 711
Owen T. Palmer, Jr.
2209-14th St.
Marby R. Penton
Box 403
Clayton Rand
The Dixie Press
Thomas N. Roberts, Jr.
Box 580
J. C. Ross
Box 178
308 Hewes Bldg.
Judge D. M. Russell, Sr.
Chancellor
Donald O. Simmons
Box 575
J. U. Simmons
Box 575
J. U. Simmons, Jr.
Box 575
Upton Sisson
Box 456
George R. Smith
American Legion Bldg.
George R. Smith, Jr.
American Legion Bldg.
Hollis Calvin Thompson, Jr.
Box 1003
1136 Second St.
Robert W. Thompson, Jr.
400-08 Hewes Bldg.
Francis McRae Turner, Jr.
Box 289
Miss. Power Co.
Harry G. Walker
Box 618, Station A
Douglas Knox White
Abstract Bldg.
Neil W. White
Box 144
T. J. White
Box 373
W. H. White
Abstract Bldg.
Mrs. Marguerite L. Williams
1805-19th Ave.

HATTIESBURG

J. S. Albritton
Geiger Bldg.
Cephus Anderson
Box 343
Lawrence Arrington
Box 1292
209 Carter Bldg.
Robert E. Arrington
Box 22, W.O.W. Bldg.
412½ Main St.
Bruce C. Aultman
411 Carter Bldg.
Dorrance Aultman
411 Carter Bldg.
B. H. Baker
Box 801
Stone Deavours Barefield
Citizens Bank Bldg.
Jefferson C. Bell
Box 1125
210 Carter Bldg.
Carl E. Berry, Jr.
208-10 Michael Bldg.
J. Lee Bilberry
Box 1390
M. D. Brett
Box 1071
Irvin H. Buchalter
Box 506
Frank Wilson Buckley
Dept. of Journalism
Miss. Southern College
J. M. Byrd
Box 925
Carter Bldg.
Thomas P. Caldwell
Box 1368
Robert L. Calhoun
Box 461
Lester Clark
Magnolia State Bldg.
Thurman L. Clark
Drawer 1391
Dudley W. Conner
Conner Bldg.
Harold B. Cubley
Box 969
E. J. Currie, Sr.
Box 29
Ross Bldg.
Edward J. Currie, Jr.
Box 29
508 Ross Bldg.
George W. Currie
Box 626
George G. Currie
Box 626
Overton A. Currie
Box 1
119½ W. Front St.
George C. Curry
Box 1209
Daniel W. Dabbs
Box 468
T. Price Dale
Geiger Bldg.
T. W. Davis, Jr.
Box 529

James Finch
Citizens Bank Bldg.
Lawrence Y. Foote
Drawer 1231
Davis T. Fortenberry
411 Carter Bldg.
Evelyn Gandy
Box 526
T. C. Gibbs
Box 1228
Herbert R. Ginsberg
130½ E. Pine St.
Paul E. Grady
Box 95
Reginald A. Gray, Jr.
201 Carter Bldg.
John S. Grove
Box 1024
Wallace R. Gunn
Box 1174
300 Forrest St.
Stanton A. Hall
617 Main St.
William Haralson
Box 132
F. C. Hathorn, Jr.
Box 865
Rowland W. Heidelberg, Jr.
Box 1070
501 Citizens Bank Bldg.
Paul B. Johnson, Jr.
130½ E. Pine St.
S. B. T. Jones, Jr.
220 Rebel Bldg.
W. Arlington Jones
401-03 Carter Bldg.
A. D. Katz
Box 27
A. F. Kelly
Geiger Bldg.
Karl W. Kepper
Box 430
Marie P. Kepper
Box 430
Joe R. King
Box 227
304 Citizens Bank Bldg.
Alvin N. London
119 E. Front St.
Frank D. Montague, Jr.
201-04 Carter Bldg.
Alfred Moore
Box 95
111½ E. Front St.
C. M. Morgan, Jr.
Box 1333
Forrest M. Morris
215 E. Front St.
William H. Morrow
Box 567
Miss Lafare Murphy
401-03 Carter Bldg.
William V. Murry
204 Conner Bldg.
Mrs. Mildred W. Norris
Box 227
Judge Thomas D. Ott
307 Citizens Bank Bldg.
Howard L. Patterson, Jr.
102 Pinehurst St.
Claude F. Pittman
Box 227
Claude F. Pittman, Jr.
Box 227
Homer Pittman
Box 227
Moran M. Pope, Jr.
Box 1463
Jesse D. Puckett, Jr.
Box 1390
Humble Oil Co.
M. M. Roberts
Box 870
Citizens Bank Bldg.
Cecil A. Rogers
300 Forrest St.
Phillip Rolls
Box 1343
W. L. Shappley
Box 6
James Simrall, Jr.
411 Carter Bldg.
E. E. Staton
Box 54
Ben Stevens
Box 1381
316 Forrest St.
Joseph Harvey Stevens
Box 1381
Jack Stewart
Box 801
Jack E. Stuart
Box 1448
C. W. Sullivan
Box 648
Carter Bldg.
R. M. Sullivan
Box 6
T. Harris Sullivan
Box 1310
Ross Bldg.
Dan Gary Sutherland
617 Main St.
Joe Avery Thompson
Box 1368
J. Kearney Travis
Drawer 590
Carl W. Welborn
512 Ross Bldg.
T. J. Wills
Ross Bldg.
Earle L. Wingo
Citizens Bank Bldg.
Judge Francis T. Zachary
Box 24
Circuit Court

HAZLEHURST

S. E. Allen, Jr.
Box 208
Merchants & Planters
Bank Bldg.
John T. Armstrong
Bank of Hazlehurst Bldg.
Mrs. E. R. Arrington
Box 347
R. O. Arrington, Jr.
Box 347
Donald C. Cooley
Box 388
Judge J. F. Guynes
Chancellor
Harris B. Henley
Box 509
W. S. Henley
Box 509
Harry O. Hoffman, Jr.
Bank of Hazlehurst Bldg.
Carroll Kemp
Wilson Bldg.
Julius L. Lotterhos, Jr.
Box 509
S. G. Salter
Box 5
Miss Lena C. Zama
Box 108

HERNANDO

P. H. Bowdre
Gerald W. Chatham
Boyce Lee Garner
F. C. Holmes, Jr.
H. Grady Johnston
R. F. B. Logan
Joel P. Walker
W. E. Wilroy
Box 5

HICKORY

W. M. Everett
Box 115
S. E. McGee

HOLLANDALE

Paul N. Nunnery
Box 333

HOLLY SPRINGS

John W. Bryant, Jr.
Fred M. Bush, Jr.
Box 377
Wall Doxey, Jr.
Lester G. Fant, Jr.
Sidney L. Hurdle
First State Bank Bldg.
George Rather, II
L. A. Smith, Jr.
First State Bank Bldg.
Fred E. Swaney
Van Dorn Ave.

HOUSTON

H. B. Abernethy
W. W. Brand
Box 128
A. E. Hawkins
C. H. McCraine, Jr.

INDIANOLA

B. B. Allen
Richard M. Allen
Billy K. Chapman
125 Augusta St.
A. B. Clark
Box 229
Arthur B. Clark, Jr.
Box 229
Robert D. Cohn
Box 286
Edward Lionel Cook, Jr.
Forrest G. Cooper
Peoples Bank Bldg.
Howard Q. Davis
Aaron M. Edwards
236 Sunflower Ave.
J. M. Forman
Hugh Lumpkin
Box 366
Gordon L. Lyon
J. H. Price
David M. Quinn, Jr.
Box 172
G. P. Ritchy
128 Main St.
Stanny Sanders
Oscar B. Townsend
202-2nd

ITTA BENA

Cleveland Davis
Box 98
Perry W. Morton
Box 82

IUKA

J. O. Clark
J. D. Finch
Harry M. Rhine
Cecil Lamar Sumners

JACKSON

Lee B. Agnew
417½ E. Capitol
Lee R. Aitchison
502 E. Pearl St.
Chalmers W. Alexander
Box 1461
H. Chalmers Alexander
Century Bldg.
James A. Alexander
Box 977
James A. Alexander, Jr.
Box 977
Julian P. Alexander, Jr.
Box 1367
Paul G. Alexander
1013 Dep. Gty. Bank Bldg.
William P. Alexander
Box 1284
Mrs. Cecile Cambre Alford
1336 Olive St.
Sam S. Allred
Box 651
218 S. President St.
Judge R. Olney Arrington
Asso. Justice Supreme Court
New Capitol
B. Gallowsy Auston
247 E. Pascagoula St.
Ralph B. Avery
412 Plaza Bldg.
William A. Bacon
Box 15
Joseph A. Baker
1409 Poplar
Charles T. Barber
Box 157
J. S. Barbour
Box 1818
Henry E. Barksdale
300 Lamar Life Bldg.
James A. Barnett
414½ E. Capitol
Ross R. Barnett
414½ E. Capitol
John S. Beach
Box 663
Stephen L. Beach, Jr.
Box 663
Loyd Lamar Beacham, Jr.
822 Plaza Bldg.
John A. Bellan, Jr.
Box 3035
Walter Berry
Box 1199
Robert A. Biggs, Jr.
Box 1370
Richard A. Billups, Jr.
Box 1056
Alvin Binder
520 N. President St.
Walter R. Bivins
235 Cooper Rd.
William P. Black
425 Vardaman St.
E. L. Bond
321 Swanee Dr.
Grover L. Boone
Box 648
James A. Boone
Box 3035
Carl C. Bostic
414½ E. Capitol St.
M. P. Bouslog
Box 3032
Francis S. Bowling
431 Tombigbee
Court Square South Bldg.
R. H. Bowling
Box 78
617 Barnett-Madden Bldg.
Mack L. Boykin
Box 1231
Richard C. Bradley
2119 Alta Woods Blvd.
Mrs. Audrey W. Brand
508 E. Capitol St.
S. M. Brand
508 E. Capitol St.
J. R. Brannon
210 Century Bldg.
Thomas S. Bratton
503 First Fed. Svgs. & Loan Bldg.
H. H. Breazeale, Jr.
Box 607
Dan E. Breland
Box 1945
408 Lamar Life Bldg.
Harmon W. Broom
Box 1275
418½ E. Pearl St.
James E. Brown
5838 Canton Park Dr.
James T. Brown
Box 330
First Nat'l Bank Bldg.
Harry M. Bryan
Box 33
Clifton E. Bryant
4250 Athens Dr.
Cary E. Bufkin
Box 1172
James D. Buford
Box 1172
Robert Burns
Box 330
Charles W. Busby
401 Barnett-Madden Bldg.
George H. Butler
Box 141
Suite 900, Milner Bldg.
J. L. Byrd
Box 157
Joseph B. Cadwallader
425½ E. Capitol
T. Eugene Caldwell
Box 1704
Edwin Calhoun
726 N. Jefferson St.
King Hayes Callicutt
Box 1172
Robert C. Cannada
Box 141
Suite 900, Milner Bldg.
Robert Taylor Carlisle
Box 3035
Charles A. Carter
715 Plaza Bldg.
William O. Carter, Jr.
Box 157
Hugh Craig Castle, Jr.
1012 First Nat'l Bank Bldg.
Edward Lawson Cates
3929 Greaves St.
Paul Chambers
Box 157
1007 Dep. Gty. Bank Bldg.
Reynolds S. Cheney
Box 1666
801 Plaza Bldg.
W. M. Childress
513½ E. Capitol St.
Bernard W. N. Chill
Box 1482

James F. Cisek
Box 1695
Charles Clark
Box 158
Lamar Life Bldg.
G. C. Clark, Jr.
107 Electric Bldg.
H. M. Clark
308 First Federal Bldg.
William W. Clark
Rt. 7, Box 171B
Hanging Moss Rd.
Neal Clement
327 Broadmoor
Percy Clifton
1st Fed. S. & L. Bldg.
J. W. Cocke
1114 Dep. Gty. Bank Bldg.
Marvin A. Cohen
Box 427
Curtis E. Coker
Box 2061
James E. Cole
Box 6041
Parkway Sta.
Gov. J. P. Coleman
New Capitol
Mrs. Aline J. Collum
3724 N. State St.
M. E. Collum, Jr.
Box 979
Jackson-Hinds Bank
James O. Conner
Box 504
A. S. Coody
776 N. West St.
Henry D. Cook
1216 Raymond Rd.
John Richard Countiss, III
202 Lamar Life Bldg.
William Harold Cox
1109-10 Dep. Gty. Bank Bldg.
John A. Craig
Box 651
Rufus Creekmore
822-25 Plaza Bldg.
Wade H. Creekmore
1105 Woolfolk Bldg.
Public Service Commission
William E. Cresswell
Governor's Office
New Capitol
Alfred Nicols Crisler
431 Tombigbee
Court Square South Bldg.
Bert Crisler
311 Dep. Gty. Bank Bldg.
Charles W. Crisler, Jr.
431 Tombigbee
Court Square South Bldg.
Thomas W. Crockett, Jr.
Dep. Gty. Bank Bldg.
Earl R. Cruthirds
Box 472
E. Hugh Cunningham
Box 1593
Mrs. R. E. Cunningham
1029 N. Congress St.
Joe H. Daniel
Box 2061
R. A. Darden
644 Choctaw Rd.
Thomas E. Davidson
Box 2473
James L. Davis, Jr.
308 1st Fed. Svgs. &
Loan Bldg.
Louis A. Demos
4314 N. State St.
H. G. Deterly
236 Mount Vernon St.
Mrs. Ruth M. Deterly
236 Mount Vernon St.
R. R. Dinsmore, Chief Atty.
Veterans Administration
J. Hubern Dodd
1173 Arbor Vista
James K. Dossett
353 Northside Circle
Colbert Dudley
1406 Dep.Gty. Bank Bldg.
Vardaman S. Dunn
Plaza Bldg.
William Francis Dukes
238 Lawrence Rd.
P. H. Eager, Jr.
1109 Plaza Bldg.
Lamar F. Easterling
713 Dep. Gty. Bank Bldg.
Mrs. Mary Easterling
1035½ N. Congress St.
Henry Edmonds
Box 481
Allan T. Edwards
707 Plaza Bldg.
E. Ray Edwards
814 Plaza Bldg.
Charlie J. Elsea
835 N. President St.
Judge W. N. Ethridge, Jr.
Asso. Justice Supreme
Court
New Capitol
Jack H. Ewing
Box 1467
R. Wesley Featherstone
5049 Durfey St.
Miss Goldie Jane Feldman
Box 158
Bethel Ferguson
c/o Miss. Power &
Light Co.
Henry Grady Flowers
Box 609
U. Grey Flowers, Jr.
Box 2022
W. B. Fontaine
1311 Dep. Gty. Bank Bldg.
Aaron Ford
505 Plaza Bldg.
Mrs. Barbara S. Fortenberry
1001 Euclid Ave.
J. B. Franklin
513½ E. Capitol
Lawrence C. Franklin
Box 444
930 Milner Bldg.
Lester C. Franklin, Jr.
Asst. Attorney General
New Capitol
Kenneth I. Franks
1012 1st Nat'l Bank Bldg.
David K. Galtney
Box 1817
Thomas B. Gambrell
Box 286
Miss Martha Gerald
Box 158
D. A. Gill
Box 2532
Judge R. G. Gillespie
Asso. Justice Supreme
Court
New Capitol
George E. Gleason
826 N. West St.
William F. Goodman
Box 650
Charles M. Gordon
305 Medical Bldg.
Luther E. Gordon
1070 Buckley Dr.
W. E. Gore
Box 186
Weaver E. Gore, Jr.
Box 186
Robert S. Graham
Box 1841
R. Gordon Grantham
Box 1213
Charles L. Graves
101½ E. Griffith
Mrs. Elizabeth W. Grayson
Plaza Bldg.
Garner W. Green
Box 1666
Garner W. Green, Jr.
Box 1666
Joshua Green
Box 1666
John E. Gregg
100 E. Pearl Bldg.
J. R. Griffin
Asst. Atty. Gen.
New Capitol
P. J. Griffin
1727 Piedmont
John M. Grower
Box 1213
Carl E. Guernsey
Box 326
Claude W. Guice
4313 Ridgewood Rd.
Charles C. Hairston, Jr.
Box 3035
Doric D. Hakes
209 Wilshire Dr.
Carsie A. Hall
538½ N. Farish St.

Judge Lee D. Hall
Asso. Justice Supreme Court
New Capitol

H. G. Hall
Edwards Hotel

Lowell D. Hamilton
Box 899

George S. Hamilton
Rt. 3, Box 215

Richard B. Hamilton
Plaza Bldg.

Robert B. Hamilton
Box 444
930 Milner Bldg.

W. Jeff Hamm
Box 4567

Samuel C. Hardage
735 Roseneath St.

James Elbert Hardin
4116 Council Circle

A. Y. Harper
Box 1545

Charles E. Harper
Box 3035

Matthew Harper
Asst. Attorney General
New Capitol

Robert W. Hartford
Box 2103

W. R. Harris
Box 3035

Robert E. Hauberg
Box 2091

George B. Hawkins
Box 4406

Jay Homer Hedgepeth
Box 1467

T. H. Hedgepeth
Box 1467

Cecil F. Heidelberg, Jr.
1012 1st Nat'l Bank Bldg.

Judge Leon F. Hendrick
Box 1473

Charles B. Henley
Box 326

George P. Hewes, III
Box 1213

J. T. Hill
1363 Belvoir

Thomas J. Holifield
129 Del Rio St.

Clarence H. Holland
Box 53

Edwin R. Holmes, Jr.
Box 2091

Judge James C. Holmes
Asso. Justice Supreme Court
New Capitol

Hugh Sam Hopkins
Box 1145

Judge W. T. Horton
Box 1382

James R. Houston
Box 945

Homer Lee Howie
535 College St.

Joseph H. Howie
Box 724

Henry A. Huettner
4016 N. State St.

Theodore G. Huffman
513 Launcelot Rd.

Joe Jack Hurst
Box 158

Harvey H. Hutchins
3622 Terry Rd.

Cecil E. Inman
Plaza Bldg.

Cecil E. Inman, Jr.
Plaza Bldg.

Forrest B. Jackson
Box 124

Paul L. James
Box 1941

Cecil G. Johnson
4314 Woodland Ave.

Walter R. Johnson
Box 1818

L. Barrett Jones
Box 1697

Bernard M. Jones
Box 8566, Sta. D.

James Edward Jones
450 Lexington Ave.

P. Z. Jones
414½ E. Capitol St.

W. Roger Jones
Box 326

John T. Kabbes
Box 1818

James E. Kemp
Box 651

Henry M. Kendall
Box 330

James T. Kendall
305 Medical Bldg.

Thomas I. Kent
Box 515

Earl Keyes
Box 1261
860 Milner Bldg.

Frank C. Kimbrell
425½ E. Capitol

Robert W. King
Box 1056

S. R. King
425½ E. Capitol

Lee Gibbs Kirk
Box 607

John M. Kuykendall, Jr.
Dep. Gty. Bank Bldg.

Judge John W. Kyle
Asso. Justice Supreme Court
New Capitol

Boyd Ernest Kynard
Box 8525

Bonner R. Landman
Box 661

Ralph Landrum
420 Barnett-Madden Bldg.

Ike P. LaRue, Jr.
Box 3499

Dean Laurence
1117 Plaza Bldg.

R. V. Laverty
425½ E. Capitol

Dan M. Lee
202 Lamar Life Bldg.

Judge Percy M. Lee
Asso. Justice Supreme Court
New Capitol

Robert M. Lee
136 E. Griffith

Myer A. Lewis, Jr.
1011-14 Dep. Gty. Bank Bldg.

H. Lee Lindsey
3960 Nassau St.

Hubert Lipscomb
300 Lamar Bldg.

W. Baldwin Lloyd
Box 3035

Carl F. Loerke
228 Sewanee Dr.

L. H. Long
1727 St. Ann St.

Fred Lotterhos, Jr.
905 Pinehurst

Warren V. Ludlam, Jr.
Box 427
Plaza Bldg.

G. Garland Lyell, Jr.
Box 568
Plaza Bldg.

Otho Magee
1942 Wingfield Circle

Frank E. Magill
Box 1972

Robert S. Major, Jr.
Box 8554
Northside Station

John P. Maloney
Box 330

Thomas J. Mallette
Box 4567

Judge Luther Manship
242½ E. Capitol

Roland D. Marble
Box 158

G. L. Martin
222 Duncan St.

Walter D. May
1204 Dep. Gty. Bank Bldg.

B. B. McClendon
603 Dep. Gty. Bank Bldg.

B. B. McClendon, Jr.
603 Dep. Gty. Bank Bldg.

George T. McClintock
Box 1288
414½ E. Capitol

A. B. McCraw
1922 Belvedere Dr.

Dan McCullen
900 Milner Bldg.

Roy H. McDaniel
167 Galvez

Jack McDill
Box 2091

Judge Harvey McGehee
Chief Justice Supreme Court
New Capitol

Judge M. M. McGowan
Circuit Court

Dale H. McKibben
612 Barnett-Madden Bldg.

Alexander McKeigney
State Tax Commission
Woolfolk Bldg.

Curtis W. McKewen
Box 385

Robert Sylvester McLaurin, Jr.
4550 Normandy Dr.

Martin R. McLendon
Asst. Attorney General
New Capitol

Clois E. McMullan
1050 Matthews

George K. McMullan
4750 Clinton Blvd.

Fred P. McRae
745 Gardner

Rex McRaney
Miss. Game & Fish Comm., Box 451

George D. Meek
619 Mohawk Ave.

L. F. Milling
525 Choctaw Rd.

Claude Milstead
4857 Windemere Terrace

Milton H. Mitchell
Box 330

E. W. Montgomery, II
Box 724

M. B. Montgomery
Box 1288
414½ E. Capitol

Edward D. Moore
1402 Dep. Gty. Bank Bldg.

Russell D. Moore, III
Box 995
1016 Plaza Bldg.

William Sebastian Moore
202 Lamar Life Bldg.

Dan W. Morse
601 Plaza Bldg.

W. E. Morse
601 Plaza Bldg.

James H. Mosbey, Jr.
131 Minerva St.

W. M. Mounger
Box 1113
Dep. Gty. Bank Bldg.

Adrian E. Mullen
2237 First Ave.

Thomas Earl Mullen
Box 2026

Carl D. Mullican, Jr.
c/o Miss. P. & L. Co.
Electric Bldg.

George S. Neal, Jr.
Box 945

William H. Neely
Box 78

William T. Neely
Box 17

A. M. Nelson
Suite 470, Milner Bldg.

Mrs. Alice Nevels
Sec. Trea. Miss. State Bar.
Box 1032

W. R. Newman, Jr.
Standard Life Bldg.

Hugo Newcomb
Box 959

Robert G. Nichols, Jr.
Box 1526

Judge George R. Nobles
City Judge

Miss Shirley Norwood
Box 427

Junior O'Mara
Suite 900, Milner Bldg.

N. W. Overstreet, Jr.
703 Dep. Gty. Bank Bldg.

Harry D. Owen
Box 175
107 W. Pearl St.

H. S. Owens
Box 221

Joe T. Patterson
Attorney General
New Capitol

John Lamar Penny
313 Wacaster St.

Robert E. Perry
Box 961

M. J. Peterson
Box 4535
1043 Poplar Blvd.

Rubel L. Phillips
1105 State Office Bldg.

Robert Boyd Pickens, Jr.
Box 896

W. W. Pierce
100½ W. Capitol St.

M. A. Pilgrim
341 Segura Ave.

J. H. Price, Jr.
Asst. Attorney General
New Capitol

Lee V. Prisock
Box 481
417½ E. Capitol

Robert Prisock
Box 1699
957 Fortification

R. A. Pritchard
Box 2061

Ralph David Pruett, Jr.
Bldg. 2, Apt. C
Raymond Garden Apts.

R. L. Purser
1300 N. President

John M. Putnam
412 Plaza Bldg.

Judge L. A. Pyle
Chancellor

Dixon Pyles
507½ E. Pearl

Percy L. Quinn
210 Century Bldg.

Bob Ray
300 Lamar Life Bldg.

W. C. Reed, Jr.
100 E. Pearl Bldg.
Room 209

Julian T. Reynolds, Jr.
117 Sollitt St.

John Sivley Rhodes
1st Fed. Svgs. & Loan Bldg.

Otho Dan Rhodes
Terry Rd.

C. C. Richmond
Box 3035

William L. Richmond
Box 427
814 Plaza Bldg.

Barron C. Ricketts
Box 1224

C. R. Ridgeway
Box 187

William B. Ridgeway
Box 187

W. E. Robbins
Box 1831
196 Kolb St.

Judge W. G. Roberds
Asso. Justice Supreme Court, New Capitol

Stokes V. Robertson
Box 1947
503 E. Amite St.

Judge Stokes Robertson, Jr.
Box 1947

Sidney A. Robinson, Jr.
Box 920

Richard C. Rogers
Box 607

Shelby R. Rogers
Plaza Bldg.

Howard C. Ross, Jr.
Box 124
431 Tombigbee
Court Square South Bldg.

Abe A. Rotwein
Box 784
501 Barnett-Madden Bldg.

Roderick S. Russ, Jr.
3726 Crane Blvd.

David L. Sadler
Box 923

John C. Satterfield
Box 1172
Plaza Bldg.

Clarence R. Scales
Box 1176
151½ E. Capitol

Miss Jeanne Scales
Box 1176
151½ E. Capitol

Miss Jewelle Scales
202½ W. Capitol

L. J. Scanlon
Box 1834
Charlie Scott
Box 1818
E. G. Scott
Box 1818
Tom B. Scott, Jr.
Box 1818
Walter A. Scott, Jr.
1325 N. State St.
Will P. Searcy
512 George St.
Clanton M. Seay
Box 1136
Dugas Shands
Asst. Attorney General
New Capitol
George E. Shaw
Century Bldg.
George E. Shaw, Jr.
Century Bldg.
Dan H. Shell
Box 1172
Plaza Bldg.
Ernest L. Shelton
712 Plaza Bldg.
L. Leon Shelton
242½ E. Capitol
N. R. Shoemaker
Box 586
Walter L. Shows
Box 850
J. E. Skinner
1406 Dep. Gty. Bank
Bldg.
Howard Neal Smith
Box 1524
100 E. Pearl Bldg.
Kennon R. Smith
212 N. Congress St.
L. O. Smith
514 Millsaps Bldg.
Stone M. Smith
Box 1729
Standard Life Bldg.
Sydney A. Smith
Box 157
1007 Dep. Gty. Bank Bldg.
William C. Smith
Box 1813
Charles B. Snow
Box 141
900 Milner Bldg.
Lee R. Spence
Box 1200
Ernest O. Spencer, Jr.
Walthall Hotel
James L. Spencer
Box 427
R. L. Stainton
Box 742
R. Horace Steele
Box 1200
E. W. Stennett
412 Barnett-Madden Bldg.
J. C. Stennett
412 Barnett-Madden Bldg.
J. P. Stennis
Governor's Office
New Capitol
Francis B. Stevens
Box 141
900 Milner Bldg.
Phineas Stevens
Box 141
900 Milner Bldg.
Colin Leroy Stockdale
306-07 1st Fed. Svgs.
& Loan Bldg.
J. M. Stockton
Box 1450
John E. Stone
4212 Brookdale
R. B. Stovall
603½ E. Fortifications St.
Harvey L. Strayhan
Box 4451
Fondren Station
F. K. Stribling
503 E. Amite St.
V. J. Stricker, Jr.
303 1st Fed. Svgs. &
Loan Bldg.
A. C. Stringer
Box 900
H. C. Stringer
Rt. 5, Box 62
Terry Rd.
Quentin Stringer
328 Audubon Place
W. E. Suddath, Jr.
Plaza Bldg.
A. W. Sullivan, Jr.
Rt. 7, Box 243AA
C. Arthur Sullivan
Box 1381
John C. Sullivan
970 Milner Bldg.
A. F. Summer
151½ E. Capitol
J. H. Sumrall
4028 Council Circle
Valentine Surgis
850½ Fairview St.
Thomas M. Tann
Box 1505
O. B. Taylor
Box 896
O. B. Taylor, Jr.
Box 896
Rowan H. Taylor
Box 896
Swep S. Taylor, Jr.
Box 912
Lowell William Tew
823 Plaza Bldg.
Sidney R. Tharp
539 N. Farish St.
D. J. Thibodeaux
417½ E. Capitol
Earl T. Thomas
Box 158
Lamar Life Bldg.
Allen C. Thompson
Mayor, City Hall
Fulton Thompson
Box 410
118 N. Congress St.
J. W. Thompson
Box 2002
209 Lamar Bldg.
R. B. Thompson
Box 1156
Robert H. Thompson
Box 410
118 N. Congress St.
Bernard L. Tighe
416 Plaza Bldg.
Bowman Stirling Tighe
416 Plaza Bldg.
E. B. Todd
247 E. Pascagoula St.
J. A. Townes
733 Brandon Ave.
Robert C. Trainor
735 N. Congress St.
Cecil F. Travis
Box 995
John A. Travis, Jr.
Box 995
Howard B. Trimble
104 Club Court
Mrs. Betty Bartee Tucker
507½ E. Pearl St.
Felix J. Underwood, Jr.
4308 Manhattan Rd.
Robert W. Upchurch
2623 Clinton Ave.
James M. Walker
605-07 Plaza Bldg.
Knox W. Walker
105½ W. Capitol
William L. Waller
Box 1261
O. B. Walton, Jr.
1600 Eastover Dr.
F. A. Ward
Box 1849
H. V. Watkins
Box 427
Thomas H. Watkins
Plaza Bldg.
W. H. Watkins
Plaza Bldg.
J. Raiford Watson
Box 2472
Richard T. Watson
962 Whitworth St.
Calvin L. Wells
Box 158
Erskine W. Wells
Box 158
Robert H. Wells
513½ E. Capitol St.
W. Calvin Wells, Jr.
Box 158
W. Calvin Wells, III
Box 158
Will S. Wells
513½ E. Capitol
John McColloch Weston
Box 1227

Frank T. Williams
Box 1172
James M. Wilson
Box 8487
William F. Winter
1403 Woolfolk Bldg.
State Tax Collector
Sherwood W. Wise
Box 157
George F. Woodliff
Box 326
Thomas H. Woodrow
Box 1103
Fielding L. Wright, Jr.
702 Dep. Gty. Bank Bldg.
L. A. Wyatt
Millsaps Bldg.
Robert K. Yandell
Box 1501
Jack H. Young
115½ N. Farish
J. Will Young, Jr.
Box 2061

KOSCIUSKO

John Percy Allen
300 N. Jackson
John Frank Allen
300 N. Jackson
Joe Frank Allen
300 N. Jackson
William Dixon Brooks
Box 827
James T. Crawley, Jr.
Box 827
David E. Crawley, Jr.
Crawley Bldg.
William Reynolds Ford
Crawley Bldg.
D. H. Glass
John Davis Guyton
Box 590
J. D. Guyton
Box 590
Chatwin M. Jackson, Jr.
Box 189
John Clark Love
Alton Massey
Box 189
Clarence E. Morgan
Box 348
Clarence E. Morgan, Jr.
Box 348
G. J. Thornton
Morgan & Lindsey Bldg.
Harold W. Williams
517 Lucas St.
Claude Jackson Woodward
Doty Bldg.

LAMBERT

Walter E. Dreaden, Jr.
Box 215
Hoke Stone
Van D. Stone

LAUREL

J. L. Austin
2215-3rd Ave.
W. A. Beard, Jr.
First Nat'l Bank Bldg.
E. C. Bonney
Box 967
M. W. Boyd
Box 111
William S. Boyd, Jr.
Box 554
Ronald C. Brown
Box 496
James R. Buchanan
Box 230
Lampkin Butts
Box 817
J. Edwin Campbell
Box 584
Ralph P. Campbell
Box 638
B. F. Carter
Norman Bldg.
Judge Lunsford Casey
Courthouse
Miss Dorothy B. Clower
Box 675
E. K. Collins
Box 496
F. B. Collins
308 Wallace Bldg.
Jeff Collins
Norman Bldg.
Edwin Phillips Connolly
Box 527
Frederick G. Cox
Box 364
Jack Deavours
Box 106
William M. Deavours
Box 106
Grover Doggette
Manhatten Bldg.
Herbert H. Dyke
Masonite Corp.
Albert E. Easterling, Jr.
517½ Central Ave.
C. C. Evans
Oak St.
Samuel W. Fuller
Box 507
Carroll Gartin
Lieutenant-Governor
Box 713
Denton Gibbes, Jr.
Box 675
Stewart J. Gilchrist
409 First Nat'l Bank Bldg.
Ernest W. Graves
Box 675
James D. Hester
Box 713
Henry Hilbun, Jr.
Box 106
Harry E. Koch
First Nat'l Bank Bldg.
L. B. Melvin
Box 1061
Leonard B. Melvin, Jr.
Box 1061
Harold Waits Melvin
Box 1061
George D. Maxey
Box 731
Harry A. Mitman
c/o Masonite Corp.
Goode Montgomery, Jr.
Box 230
H. C. Moynihan
519½ Central Ave.
Judge Roy P. Noble
Chancellor
William Harold Odom
Box 354
Larry A. Pacific
Kalmia Bldg.
Samuel V. Pack
First Nat'l Bank Bldg.
Kalford C. Ratcliff
203 First Nat'l Bank Bldg.
Quitman Ross
First Nat'l Bank Bldg.
A. S. Scott
Andrew S. Scott, Jr.
Box 403
Philip E. Stevens
Box 475
Pershing B. Sullivan
Box 1105
Paul G. Swartzfager
Box 121
Philip M. Swartzfager
Box 121
Raymond C. Swartzfager
Box 121
C. H. Walker
Box 638
Guy M. Walker
Box 364
Milton B. Weems
Box 106
David C. Welch
Box 675

LEAKESVILLE

J. W. Backstrom
Ben H. Walley

LELAND

Eugene Gerald
Box 147
D. Hilton Waits
Box 128
William B. Waits
Box 128
Taylor Webb
Box 414

LEXINGTON

Pat M. Barrett
Joseph E. Berman

H. H. Johnson
P. P. Lindholm
G. H. McMorrough
D. T. Ruff
H. Edwin White
David Williams
Parham H. Williams, Jr.

LIBERTY

T. F. Badon
Box 21
C. T. Gordon
Box 115
Joe D. Gordon
Box 115
Kenneth L. Gordon
Box 115
F. W. Stratton
Box 38

LONG BEACH

Pete H. Carrubba
Box 102

LOUISVILLE

R. W. Boydstun, Jr.
Box 342
R. W. Boydstun
Box 342
Charles D. Fair
J. Hoy Hathorn
Masonic Bldg.
Edward M. Livingston
Neal Prisock
Frank L. Reich
Box 412
Judge Henry L. Rodgers
Circuit Court
Burris Olen Smith
Box 328
Harold G. Stringer
417 N. Columbus St.
W. A. Strong, Jr.
Box 328

LUCEDALE

William Thames Bailey
H. M. Hunter
Route 1
Maurice L. Malone
Box 228
Darwin M. Maples
J. O. Moss
Williams S. Murphy
Hugh G. Rowland
Box 547

LULA

Benny F. Brady

MACON

E. H. Britton
Ernest Luther Brown
W. B. Lucas
L. L. Martin
John Land McDavid
505-8th St.
John Alton Phillips

MAGEE

T. M. Bishop
General Delivery
L. R. Floyd
Billy C. Little
Willis T. Matthews
Box 234
A. W. McRaney
R. C. Russell

MAGNOLIA

O. W. Phillips
225 E. Bay St.
Billy Dan Statham
Simmons Bldg.
James A. Wiltshire
Box 268

MARKS

E. C. Black
Ben M. Caldwell
W. A. Cox
P. L. Denton
Ney M. Gore, Jr.
T. N. Gore
Lomax Lamb, Jr.
Eugene Thompson

McCOMB

Louis Alford
Box 8
Milton Farris Anton
104 Main St.
Robert White Brumfield
Box 1097
John B. Ewing
Box 599
Norman B. Gillis, Jr.
Box 534
Judge F. D. Hewitt
Chancellor
Bert H. Jones
Brent Bldg.
William Vaught Lenoir, Jr.
Box 663
L. S. McClaren
Box 201
Gerald M. McMillan
Box 201
Joe N. Pigott
Box 940
R. B. Reeves, Jr.
Box 1097
Robert S. Reeves
Box 1097
J. Gordon Roach
Brent Bldg.
Judge Hansford L. Simmons
William A. Wiltshire
Box 1061
Laverne Varnado
Box 1055

McLAIN

Curtis V. Breland
Box 158

MEADVILLE

C. F. Cowart
L. L. Forman
Charles Herring
Box 265
W. Wilson Hewitt
Dan R. McGehee
H. B. Mayes McGehee
Judge James A. Torrey
Circuit Court
Sanferd P. Torrey

MENDENHALL

Thomas B. Alexander
Noel W. Buckley
A. K. Edwards
Box 66
George B. Grubbs
Box 217
James B. Sykes
Box 451
J. W. Walker
Box 37
Connie S. Whitfield
Box 348

MERIDIAN

J. P. Abston
Box 1952
Gerald Adams
Threefoot Bldg.
Brad B. Bailey
Rosenbaum Bldg.
Harold M. Bailey
Box 1967
L. D. Beard
324 Lamar Bldg.
Thomas D. Bourdeaux
Box 2009
Albert S. Bozeman
Box 1125
304 Lamar Bldg.
A. S. Bozeman, Jr.
Box 1125
304 Lamar Bldg.
Frank J. Buchanan
U.S.F. & G. Bldg.
Sam O. Buckley
202 Shields Bldg.
James A. Burns
2513-5th St.
Paul M. Busby
214 Courthouse
Ben F. Cameron
1205 Threefoot Bldg.
Charles B. Cameron
407 Citizens Nat'l Bank
Bldg.

Winston Cameron
Box 888
Edwin K. Clayton
Box 1787
W. L. Clayton
1513-25th Ave.
Ross A. Collins
602 Citizens Nat'l Bank Bldg.
William Bond Compton
Box 845
Aaron S. Condon
Box 129
Lyle V. Corey
310 Lamar Bldg.
J. A. Covington, Jr.
Box 786
Dal MacKnight Crenshaw
RFD No. 6, Marion-Russell Rd.
Robert H. Crook
Box 289
Robert B. Deen, Jr.
Box 888
Anse Dees
Box 711
C. L. Denton
Box 804
J. Thomas Dunn
Threefoot Bldg.
Edwin A. Dunn
Threefoot Bldg.
Walter W. Eppes, Jr.
820 Threefoot Bldg.
George M. Ethridge, Jr.
305-07 Lamar Bldg.
J. C. Floyd
Box 888
G. Rayner Gaillard
300 Rosenbaum Bldg.
Cecil E. Gantt
Box 449
V. W. Gilbert
407 Citizens Nat'l Bank Bldg.
Champ C. Gipson
Box 804
Judge J. Ray Gipson
Box 442
J. V. Gipson
Box 804
Thomas Laverne Goldman
Box 1501
William J. Gunn, Jr.
Box 222
Edith M. Guy
Kidder Bldg.
Robert Hunter Harmon
Box 711
John M. Harmon
Box 1443
J. E. Harwell
Box 1987
Gilbert F. Heinbaugh
U. S. F. & G. Bldg.
Thomas M. Hendricks, Jr.
Box 80
Thomas K. Holyfield
308-09 Lamar Bldg.
J. Knox Huff, Jr.
300 Rosenbaum Bldg.
Philip D. Hughes
2115-28th Ave.
Alvis C. Johnson
Box 824
Edward O. Johnson, Jr.
2210-11th St.
Granville Jones
Box 1562
Maurice F. Kahlmus
Box 1402
Joseph S. Knight
Box 1787
Miss Betty Jane Long
917 Threefoot Bldg.
Richard Guy Lord
Box 965
Joe W. Magee
Box 2062
M. V. B. Miller
Box 849
Thomas Y. Minniece
305-07 Lamar Bldg.
S. R. Nettles
903-31st Ave.
Judge William DeB. Neville
Chancellor
Charles R. Nix
2613-24th
John J. O'Brien
3807 Fifth St.
James E. Palmer
Box 1485
Howard R. Pigford
Box 1501
Lawrence W. Rabb
Box 2142
Donovan Ready, Jr.
Box 1550
William Emmett Ready
Box 1550
Fred M. Rogers
1823-34th St.
Mrs. Margaret E. Rogers
310 Pigford Bldg.
Fred A. Ross
Box 1149
C. D. Shields
Box 367
Roger B. Shows
Box 786
James F. Shumate, Jr.
Box 1445
James Taylor Singley
Threefoot Bldg.
Lavalle Smith
324 Lamar Bldg.
E. L. Snow
Box 786
Mrs. E. L. St. Germain
2104-14th St.
E. Donald Strange
909 Threefoot Bldg.
Ernest T. Strange
909 Threefoot Bldg.
De Quincy V. Sutton
Threefoot Bldg.
W. A. Temple
Box 1641
Robert L. Tinsley, Jr.
Box 1327
J. M. Travis
Box 682
Thomas R. Ward
Rosenbaum Bldg.
George D. Warner
Box 888
Homer C. Watkins
Box 1952
Thomas Kenneth Watts
Rt. 3, Box 12
Harley A. Weeks, Jr.
Box 221
J. C. Wilbourn
Box 965
J. Pat Wiley
Box 804
L. E. Wills
Box 566
James David Williams
Box 965
Marvin Williams
300 Rosenbaum Bldg.
Donald W. Williamson
Box 425
Lester F. Williamson
Box 86
N. S. Williamson
Box 86
Gibson B. Witherspoon
Box 845
Henry S. Woodall
Box 11
C. M. Wright
Box 385
Russell Wright
Box 385

MISSISSIPPI CITY

Orvis S. Wood
Box 412

MONTICELLO

Lee H. Bird
Shirley Magee
Judge J. Neville Patterson
Chancellor
J. P. Patterson
J. Kenneth Riley
Drawer 247
E. A. Turnage
Box 188
Robert Glenn Turnage
Box 325

MONTROSE

George Thomas Roberts

MOORHEAD

Harry Diamond
Ben Himelstein

MORTON

Charles G. Clifford
Edmund A. Wilson
Box 135

MOSELLE

Miles B. Porter

MOSS POINT

Frank J. Hammond, Jr.
Box 402
L. K. McIntosh
Box 188

MOUND BAYOU

B. A. Green

MOUNT OLIVE

Edwin L. Calhoun
D. A. McLeod

NATCHEZ

Lawrence Adams
Box 599
William A. Allain
Box 133
Lester Alvis, Jr.
Box 332
Basil G. Ballard
Box 596
T. L. Bauer
1305 Eastwood Rd.
Frederick C. Berger
Suite 11, Levy Bldg.
Louis S. Bills, Jr.
City Bank & Trust Co.
Judge Robert A. Bonds, Jr.
508 Main St.
Gerard H. Brandon
J. M. Brandon
Joseph E. Brown
Box 485
Joseph E. Brown, Jr.
Box 485
B. C. Callon
Box 352
Carl A. Chadwick
Box 225
Judge Walter D. Coleman
Chancellor
Curtis Lee Collins
328½ Main St.
E. H. Fitzpatrick, Jr.
Box 226
Richard Brent Forman, Jr.
Box 599
W. A. Geisenberger
Box 24
John T. Green
Box 222
Thomas K. Green, Jr.
Box 262
Lucien C. Gwin
Box 375
G. Stuart Handy, Jr.
Graham H. Hicks
Box 364
O. M. Hornsby
Forrest A. Johnson
Box 174
James H. Keyer
Robert D. Kuehnle
Box 536
S. B. Laub
Box 599
James Claude McGehee
512 Main St.
John Ernest Mulhearn
116 So. Pearl St.
Clyde W. Mullins
319 Main St.
Robert L. Netterville
200 Natchez Times Bldg.
Mrs. Martha M. Parsons
161-B Pharsalia Apts.
C. F. Patterson
Box 92
C. L. Ratcliffe
Levy Bldg.
E. H. Ratcliff
William F. Riley
Box 174
William Marion Smith
Box 599
E. G. Truly, Jr.
Box 599
Frank W. Walden
Box 345
Edwin C. Ward
Box 599
Miss Anabel Y. Welch
611 Jefferson St.
Calvin B. Wells
Fry Bldg.
Robert Young Wood, Jr.
815 Main St.
Joseph S. Zucarro, Jr.
Box 352

NEW ALBANY

J. E. Boone
Box 42
Hugh N. Clayton
Box 157
Tom Leslie Darden
Baxter N. Knox
Box 336
W. L. McDonough
Bankhead Bldg.
Guy N. Rogers
Box 157
Edgar J. Stephens, Jr.
Union Lumber Co. Bldg.
Lester F. Sumners
Box 123

NEW AUGUSTA

John M. Dunnam, Jr.
Box 167
H. D. Young

NEWTON

A. B. Amis, Jr.
R. S. Majure
Box 220
S. T. Roebuck
124 S. Main St.

OCEAN SPRINGS

Miss Amy Burkett
919 Washington Ave.
G. T. Hellmuth
Box 416
Alfred R. Moran
Box 186
Schuyler Poitevent, Jr.

OKOLONA

George Bean
H. L. Morrison
Walter M. O'Barr
Box 309

OXFORD

Omar Dell Craig
Box 507
Miss Euple Dozier
Box 191
Thomas R. Ethridge
Box 566
W. N. Ethridge
Box 566
J. W. T. Falkner
Box 92
John H. Fox, III
Dwayne L. Hale
210 Sivley Ave.
Will A. Hickman
Box 125
William Walker Joor
Box 207
Judge Taylor H. McElroy
Circuit Court
Box 187
Fred Barringer Patton
518 Tyler Ave.
Ivey E. Peebles
Editor, Oxford Eagle
James W. Price
Box 92
Bramlett Roberts
Somerville Bldg.
Phil Stone
Box 269
Chester L. Sumners
Box 125
Herman E. Taylor
303 N. 16th St.
R. X. Williams
Lyric Theatre Bldg.

PASCAGOULA

W. E. Belt
Box 15
John F. Bryan, Jr.
Box 1392
James H. Colmer
Box 244
Donald W. Cumbest
Box 11
Herbert D. Farrell
Box 622
Charles W. Ford
Box 469
J. I. Ford
Box 469
E. M. Galloway
427½ Tucker St.
H. W. Gautier
300 Canty St.
John D. Gautier
Box 183
Judge H. P. Heidleberg
Chancellor
Box 483
O. L. McLeod
Box 609
Carl A. Megehee
Box 183
Charles S. Mitchell
Mosley Bldg.
Joe A. Moore
Box 161
Robert Holmes Oswald
Box 175
Merle F. Palmer
Box 59
Willard L. Richardson
Box 59
Harold M. Seamen
605-9th St.
George M. Simmerman
Mosley Bldg.
D. J. Simmons
Box 127
Milton M. Walker
Box 282
L. A. Watts
Box 244
Bacot Bldg.
Karl Wiesenburg
Box 26

PASS CHRISTIAN

C. R. Jones, Jr.
Box 203
William E. Logan
230 West Beach

PETAL

H. B. Lingle
Box 695

PHILADELPHIA

Herman W. Alford
Citizens Bank Bldg.
Judge J. K. Gillis
Chancellor
J. B. Hillman
Bank of Philadelphia
Bldg.
Clayton Lewis
Box 162
Wilburn D. Moore
W. H. Sanford
Citizens Bank Bldg.
Dees Stribling
Masonic Bldg.
Laurel G. Weir
Box 156
W. T. Weir
208-10 Stubbs Bldg.

PICAYUNE

Delos Hudson Burks
1303-5th Ave.
Emile J. Gex, Jr.
620 Stovall Ave.
Charles R. Holladay
Box 177
Grayson B. Keaton
205-06 Bank of
Picayune Bldg.
R. E. Steen
207-08 Bank of
Picayune Bldg.
Ray M. Stewart
Box 269
J. E. Stockstill
203 Bank of
Picayune Bldg.
Tate Thigpen
113 First St.
Granville H. Williams
114½ E. Canal St.
Mrs. Marguerite A. Williams
Box 3

PLANTERSVILLE

Joe Sanford Deaton
Box 59

PONTOTOC

Jackson D. Doty
First Nat'l Bank Bldg.
J. B. Fontaine
Judge William H. Inzer
Chancellor
Boudie A. Jaggers
Box 364
B. P. Mauldin
John A. Rayburn, Jr.
Box 449
Kendall C. Rayburn
Fred Wicker
Box 232

POPLARVILLE

J. B. Mayfield
J. M. Morse
Joshua M. Morse, III
H. H. Parker
William Hampton Stewart
E. B. Williams
Bank of Commerce Bldg.
E. B. Williams, Jr.
Bank of Commerce Bldg.
Lampton O. Williams
Bank of Commerce Bldg.

PORT GIBSON

Judge R. B. Anderson
Circuit Court
Joseph Davenport, Jr.
Edwin D. Davis
Box 602
Joseph Turpin Drake, Jr.
Robert Douglas Gage, III
Box 224
Parham M. Watkins
G. S. Watson
Karl Weil

PRENTISS

Joseph Dale
Luper Bldg.
O. W. Johnson
Robert Livingston
W. H. Livingston
Floyd P. Smith
Box 355
Earl R. Wilson
Luper Bldg.

PUCKETT

Mrs. Zulah M. Purvis

PURVIS

William E. Andrews, Jr.
Box 4
L. C. Bridges
A. Q. Broadus
Elmer A. Canfield
Box 188
C. Gerald Purvis
Box 153
Jesse W. Shanks
Box 567
T. L. Williamson

QUITMAN

John Sharp Butler
Robert E. Covington, Jr.
Jeff Carter Bldg.
G. F. Dabbs, Jr.
Box 155
W. F. Latham
Andrew J. Reese, Jr.
Box 231
Tally D. Riddell
Box 155
J. E. Shirley
Box 226

RALEIGH

S. W. Craft
Judge Homer Currie
Circuit Court
Luther David Pittman
R. S. Tullos
O. O. Weathersby

RAYMOND

James Hermon Adams
D. M. Anderson
H. B. Gillespie, Jr.
Andrew John Hannon
Joe G. Moss
Box 144
William R. Phillips
Arthur C. Whittemore
Route 2

RICHTON

W. F. Burdette
Box 221
Sidney B. Majure
C. C. Smith
Major Jean S. Wilson

RIPLEY

W. H. Anderson
Benton W. Elliott
George W. Floyd, Jr.
H. G. Ladner, Jr.
Box 28
T. E. Pegram
Thomas E. Pegram, Jr.
Box 266
Marion D. Roten
Box 375
Fred B. Smith
Robert Bruce Smith, III

ROLLING FORK

J. R. Christenberry
Box 353
E. C. Clements
Herman C. Glazier, Jr.
John S. Joor
Box 175
Albert V. Miller
Box 193
J. Wesley Miller
Box 453

ROSEDALE

W. C. Roberts
Walter Sillers
A. F. Valentine

RULEVILLE

Robert D. Everitt
L. P. B. Lipscomb
O. E. Wiley

SARDIS

Herbert M. Fant
Box 65
John B. French
Box 365
R. Taylor Keyes
James McClure
Box 95
James McClure, Jr.
Box 95
Judge Curtis M. Swango, Jr.
Circuit Court

SENATOBIA

Judge Herbert Holmes
Chancellor
Roy E. Johnson
310 Tate St.
Brinkley Morton
309 Tate St.
L. P. Puryear
Dick R. Thomas
309 Tate St.
Nathaniel Greene Troutt
313 E. Tate St.

SHAW

Raynold Chiz

SHELBY

C. W. Burke
Wayne Thompson
Wallace Wooten

STARKVILLE

L. W. Brown
Drawer 29
P. Lanier Douglas
103 W. Main St.
Judge John D. Greene, Jr.
Circuit Court
George F. Henry, Jr.
Courthouse Square
Edward F. McDowell
Court Square
William Quinn McKee
Court Square
Joseph W. Thomson, Jr.
Box 289
B. M. Walker, Jr.
Box 289
Will E. Ward
Box 106
William Henson Ward
Box 106

SUMMIT

Gent Hutchison

SUMNER

J. J. Breland
C. Sidney Carlton
Robert Harvey Henderson
Joseph W. Kellum
W. M. Simpson, Jr.
c/o Sumner Sentinel
J. W. Whitten, Jr.

SUNFLOWER

Mrs. Zelda Labovitz
Robert P. Roberts, Jr.

TAYLORSVILLE

Evon A. Ford
Victor J. Ford
Box 83

TUNICA

J. W. Dulaney
J. W. Dulaney, Jr.
William P. Dulaney
Martin Garner
Judge J. T. Lowe
Jack Norris Tucker
Box 332

TUPELO

M. T. Adams
Main St.
George F. Adams
Box 639
John R. Anderson
207½ Court St.
John T. Barrett
Box 150
C. R. Bolton
City Hall Bldg.
Hugh Boren
Court St.
Dudley R. Carr
Box 234
Claude F. Clayton
Lyric Theatre Bldg.
S. P. Clayton
Broadway St.
Martin D. Cook
652 Allen St.
Thomas Dick Davis
330 N. Green St.
Clifford J. Harriman
Box 428
Ralph Holland
Lumpkin Bldg.
C. B. Hutchison
Court St.
Wade Hampton Lagrone
115 Broadway
William S. Lawson
Court St.
Howard D. Long
Box 150
S. H. Long
Box 639
William Byron Long
Box 150
Sam E. Lumpkin
Lumpkin Bldg.
John Pink McDonald
219 Church St.
Robert N. McNutt
115 Broadway St.
Guy W. Mitchell
115 Broadway St.

Guy W. Mitchell, Jr.
115 Broadway St.
W. P. Mitchell
115 Broadway St.
Noel Monaghan
Box 394
Tulane E. Posey, Jr.
624 Jackson St.
B. Cason Rankin
209½ Court St.
John E. Rankin
534 W. Main St.
Robert E. Scribner
Box 736
Douglas D. Shands
Box 673
John H. Shands
Box 673
Donald G. Soper
Box 317

TYLERTOWN

J. M. Alford
Breed O. Mounger
Singleton B. Watkins, Jr.
Box 60
W. H. Watkins, Jr.
Box 60

UNION

L. B. Porter
H. G. Stamper

UNIVERSITY

Joel W. Bunkley, Jr.
Box 537
Jan P. Charmatz
School of Law
Arthur B. Custy
Robert J. Farley
Box 6
John H. Fox, Jr.
F. L. Hutchinson
Box 296
George Martin Street
Box 679

UTICA

Gerald B. Carmichael
George William Haynes
Box 122

VAIDEN

Luther S. Gilmer

VAN FLEET

Thomas B. Davis

VICKSBURG

William G. Beanland
Box 991
James P. Biedenharn
Box 22
Ellis B. Bodron, Jr.
406 First Nat'l Bank Bldg.
Albert M. Bonelli
Box 268
R. Jess Brown
1105½ Washington St.
E. L. Brunini
810 First Nat'l Bank Bldg.
Alexander J. Brunini
810 First Nat'l Bank Bldg.
Nathaniel W. Bullard
706 First Nat'l Bank Bldg.
Jack P. Canizaro
1119 Belmont
George Chaney
Box 648
J. B. Dabney
Box 652
L. B. Dabney
Box 947
Lucius B. Dabney, Jr.
Box 947
R. L. Dent
Box 789
Dave W. Dogan, Jr.
106 Churchill Dr.
T. E. Edmonds
Box 815
Frank E. Everett, Jr.
810 First Nat'l Bank Bldg.
Ellis J. Farris
202 Merchants Bank Bldg.
Cedric L. Feibelman, Jr.
Box 768
John B. Gee
703 First Nat'l Bank Bldg.
V. W. Good
Merchants Nat'l Bank
Bldg.
Judge Ben Guider
County Court, Warren
County
Charles D. Hosemann
810 First Nat'l Bank Bldg.
William E. Hudson, Jr.
Box 984
Mrs. Lavonia C. Jones
1645 Chambers St.
C. Leonard Katzenmeyer
Box 1079
Leonard Katzenmeyer, Jr.
Box 1079
Robert M. Koestler
2 Glenwood Circle
Oscar P. LaBarre
First Nat'l Bank Bldg.
T. J. Lawrence
702 Mattingly St.
Nathan Levy, Jr.
703 First Nat'l Bank Bldg.
Burkette H. Martin
Box 789
James E. Nichols
406 First Nat'l Bank Bldg.
Don H. Powell
Box 80
John W. Prewitt
706 First Nat'l Bank Bldg.
B. H. Quinn
810 First Nat'l Bank Bldg.
James B. Ramsey
Box 56
W. W. Ramsey
Box 56
W. W. Ramsey, Jr.
Box 56
George W. Rogers, Jr.
Box 22
Frank E. Shanahan, Jr.
Merchants Nat'l Bank
Bldg.
Landman Teller
Box 22
J. Stanford Terry
Box 228
J. D. Thames
Merchants Nat'l Bank
Bldg.
V. H. Torrey, Jr.
1151 Confederate Ave.
William J. Vollor
Box 286
M. E. Ward
Box 228

WATER VALLEY

Thomas B. Brumley
c/o Mrs. W. L. Madden
Richard H. Carlisle
Kermit R. Cofer
John Horan
E. L. Lamar
114 Blount St.
John S. Throop
Fortenberry Bldg.
Murray L. Williams

WAYNESBORO

Louie McCue Bishop
Lott Bldg.
Arthur G. Busby, Jr.
Paul S. Griffith
Box 373
Woodrow C. Jones
W. V. Jones
Stanford Young
Box 372

WEBB

Earl V. Catoe, Jr.

WEST POINT

Harvey Sharpe Buck
Howard C. Coleman
Douglas Bldg.
William F. Coleman
F. A. Critz
A. M. Edwards, Jr.
Box 324
James E. Hamlin
Davis Bldg.

Wilbur G. Hamlin
B. H. Loving
Box 102
Miss Lenore Loving
Box 102
Noel H. Malone
Thompson McClellan
Albert C. Pippin
Box 376
L. F. Sams
Box 371
T. J. Tubb

WIGGINS

Lewis E. Batson
W. D. Blackwell
William J. Blass
Jesse Boyce Holleman
Robert S. Newton

WINONA

John E. Aldridge
District Attorney
Purnell Bldg.
Hugh L. Bailey
Purnell Bldg.
J. W. Conger
Robertson Horton
202 Telephone Bldg.
Rupert Ringold
Box 303
Bryant Jerome Shaw
Box 201
Lida Baird Shaw
Box 201
S. J. Simpson
Box 175

WOODVILLE

Louis G. Baine, Jr.
Maxwell Bramlette
O. W. Catchings
H. C. Leak
Peter M. Stockett
C. B. Tucker

YAZOO CITY

W. H. Barbour
Box 13
Richard Payne Birchett
104 N. Main St.
Allen Bridgforth
Hegman Bldg.
Walter R. Bridgforth
Hegman Bldg.
T. H. Campbell, Jr.
Williams Bldg.
T. H. Campbell
Williams Bldg.
Miss Virginia Ruth
Campbell
Box 35
Robert W. Collins
304 Webster Ave.
Edward G. Cortright, Jr.
108 E. Jefferson St.
Edgar M. Crane
Box 242
Herman B. Decell
Box 13
Joseph B. Elliott
416 E. Broadway
Albert S. Gardner
207½ S. Main St.
W. A. Henry
Box 13
John S. Holmes
108 E. Jefferson St.
John B. Loomer
Williams Bldg.
H. M. Love, Jr.
Hegman Bldg.
M. B. Montgomery, Jr.
421 E. Broadway
Griffin Norquist
Box 372
Ted Russell
Box 192
Harold C. Streibich
Box 197
L. A. Stricklin, Jr.
Rt. 2, Box 130
Nat Walton
Box 439
Judge C. D. Williams
Chancellor
Charles D. Williams, Jr.
507 Campbell St.
Judge Louis J. Wise
County Court

ANDALUSIA, ALABAMA

Major T. Horton Hillman
214 Scherf Dr.

ANNISTON, ALABAMA

John G. Tyler
2028 Christine Ave.

BIRMINGHAM, ALABAMA

L. K. Clapper
5225-7th Ave., S.
Foster C. Fant, Jr.
1331 S. 34th St.
A. G. Shelton
1735 Saulter Road

CLANTON, ALABAMA

Albert E. Mims

FLORENCE, ALABAMA

E. W. Massey
Box 543

MOBILE, ALABAMA

Melvin W. Dovith
c/o Corps of Engineers
Box 1169
G. H. Howard
Box 1376
Y. D. Lott, Jr.
G. M. & O. Railroad
Drawer 881
J. N. Ogden
Drawer 881

MONTGOMERY, ALA.

L. Brooks Boyd
4 Calhoun Rd.
Col. Edwin S. Leland
465 Finley Ave.

TUCSON, ARIZONA

Eugene B. Ethridge
Box 1962

FORT SMITH, ARKANSAS

Claude L. Pitts
215 Lexington

PROCTOR, ARKANSAS

Allen C. Thompson, Jr.
Waverly Plantation

LOS ANGELES, CALIF.

Francis M. Harris
7755 Hindry Ave.
Louis J. Lyell
Room 906
650 S. Grand Ave.
Boyd H. Reynolds
Suite 214 Douglas Bldg.
257 S. Spring St.
Frederick Straus
840 S. Kenmore

SACRAMENTO, CALIF.

Lewis H. Day
Gen. Mgr. Chamber of
Commerce
917-7th St.

SAN BRUNO, CALIF.

Maj. Lester E. Wilkes
2455 Lexington Way

SAN FRANCISCO, CALIF.

Thomas J. Campbell
2059 Vallejo St.
William J. Lawler
Suite 112
835 Clay St.
DuVal Stoaks
U. S. Embassy
APO 74, Box K

DENVER, COLORADO

S. M. Alford
1561 Grove St.
Capt. Alvin L. Smith, Jr.
1055 Sherman, Apt. 205

NEW HAVEN, CONN.

Myres Smith McDougal
401-A Yale Station

DELAND, FLORIDA

Roy F. Woodward
Rt. 1, Box 537

GAINESVILLE, FLORIDA

Ernest M. Jones
1708 N. W. 2nd Ave.

HOMESTEAD, FLORIDA
Jack C. Burrell
Box 1177

JACKSONVILLE, FLORIDA
Wirt Adams Beard
Box 2370

ORLANDO, FLORIDA
Capt. Edwin C. Aikens
Staff Judge Advocate
Air Photo Charting
Serv. OAFB

PALM BEACH, FLORIDA
A. Obie Stewart
First Nat'l Bank Bldg.

QUINCY, FLORIDA
M. P. Fedorak
Box 488

ST. PETERSBURG, FLA.
Mrs. Margaret E. Fisher
14800 Bayshore Dr.
Madeira Beach

WEST PALM BEACH, FLA.
Will A. Nason
6th Floor Comeau Bldg.

WINTER PARK, FLORIDA
James P. O'Flarity
140 Alpine Dr.

ATHENS, GEORGIA
Arthur G. Murphrey, Jr.
Ass't. Director School of Law
University of Georgia

ATLANTA, GEORGIA
Thomas L. Adams
Box 2211
740 Hurt Bldg.
Col. James L. Davis
1112 Mortgage Gty. Bldg.
Jefferson Davis
Box 2211
Don D. Townsend
3073 E. Fairway Rd.

COLLEGE PARK, GA.
Elmer Louis Fondren, Jr.
515 W. Rugby Ave.

FORT BENNING, GA.
Capt. Wayne G. Williams
Staff J. A. Sec.
Hq. Inf. Center

MACON, GEORGIA
Edward Joseph Assad
1206 College St.

BOISE, IDAHO
Coite E. Cloninger
Box 1928

CHAMPAIGN, ILLINOIS
Judge Virgil W. Burgess
City Police Court

CHICAGO, ILLINOIS
Joseph C. Crawford
415 Fullerton Parkway
George A. Mueller
5654 N. Kenneth Ave.
Harold G. Sodergren
134 N. LaSalle St.

EAST ST. LOUIS, ILLINOIS
Nat J. Hovious
802 N. 40th St.

SCOTT AFB, ILLINOIS
Maj. Jack Louis Abraham
104-8th St.
Maj. O. B. Quin, III
Box 564

LAWRENCE, KANSAS
Prof. James J. Lenoir
School of Law
University of Kansas

WICHITA, KANSAS
A. L. Hollis
Box 2895

GLASGOW, KENTUCKY
John Basil Preston

MAYFIELD, KENTUCKY
Roscoe Cross
Carter Bldg.

BATON ROUGE, LA.
John E. Perkins
Box 1145
Charles W. Phillips
La. National Bank Bldg.
William F. Selph, Jr.
Box 1748
Mose Wander
3376 Government St.

CLINTON, LA.
Robert Harold Hodges

LAFAYETTE, LA.
Ruffin T. Lowry
Box 1673

LAKE CHARLES, LA.
Donald E. Dore
127 East St.

NEW ORLEANS, LA.
B. C. Adams
860 Saint Charles St.
Henry Grady Bates
6927 Deanne St.
Way A. Bigner
3129-43rd St.
M. G. Blackwell
613 Poydras St.
James B. Brumfield
800 California Co. Bldg.
Creighton Chandler
412 Masonic Temple Bldg.
William C. Clark
208 Maritime Bldg.
Robert F. Cooper, Jr.
1000 Masonic Temple Bldg.
Box 930
Carl E. Fankhauser
1442 Toledano St.
David Gross
Box 193, Legal Dept.
Shell Oil Co.
Robert George Haik
1126 Frenchmen St.
E. E. Hall
526 Shell Bldg.
Joseph L. Herring
Box 1551
John Bryce Hough
3405 St. Charles Ave.
Apt. 41
Abner E. Hughes
600 Carondelet Bldg.
J. W. Kelly, Jr.
Box 292
Ewell J. McDonald
406 Hibernia Bank Bldg.
Wright Patton
1000 Masonic Bldg.
James H. Ray
860 St. Charles Ave.
John Hillman Rogers
Box 626
H. E. Ross, Jr.
905 Carondelet Bldg.
Mrs. Rosalind D. Sanders
4316 Prytania
R. E. Spivey
Box 35
D. R. Stump
Box 72
John L. Toler
1500 Nat'l Bank of Commerce Bldg.
Joseph V. Wilson, Jr.
800 The California Bldg.

RAYVILLE, LA.
Newton Kelly McKoin
324 Glenda
Box 126

SAINT JOSEPH, LA.
James Carpenter Crigler

SHREVEPORT, LA.
E. K. Correll
Box 1129
Miss Myrtis Easley
250 Vine St.

Wiley C. Hill
844 Audubon Place
Leo Horan
623 Merrick St.
B. F. Madole
Box 1347

GLEN BURNIE, MD.

Capt. Paul V. Dixon
1602 Manning Rd.

INDIANHEAD, MD.

Ensign James L. Young
Apt. 25F, Riverview Apt.

SILVER SPRINGS, MD.

William Thomas Ashley
465 Southampton Dr.

MT. PLEASANT, MICH.

Kavanaugh P. Wood, Jr.
317 N. Fancher St.

JOPLIN, MISSOURI

A. H. Garner
716 Frisco Bldg.

KANSAS CITY, MISSOURI

Stanley M. Cox
6805 Grand Ave.
T. A. Hartley
1433 E. 76th Terrace

SEDALIA, MISSOURI

J. L. Heiss, Jr.
217 S. Ohio

OFFUTT AFB, NEBRASKA

Capt. Thomas. G Roberts
Base Legal Office

VERDIGRE, NEBRASKA

Louis Pavlik
Box E

RENO, NEVADA

Clovis E. Bull
230 Vine St.

VINELAND, N. J.

E. T. Teter
709 Grape St.

LOVINGTON, N. M.

William S. Martin, Jr.
Box 63

FAYETTEVILLE, N. Y.

Mrs. Claribel H. Moncure
510 Warren St.

NEW YORK, NEW YORK

August Altiery
80 Park Ave.
Charles F. Ames
Box 545, G.P.O.
James R. Billingsley
195 Broadway

Capt. Lem Cabiness, Jr.
JA Sec. 9th Inf. Div.
APO 111
Capt. A. A. Calhoun
Hq. 7th Air Div.
APO 125
Lt. Charles M. Carr
7822 A.U.
APO 751
Lt. Albert A. Covington
Hq. 7278th GU, TTC (NEAC)
APO 862
Major B. B. Ford
G-1 Div., Hq. USAREUR
APO 403
F. S. Harmon
464 Riverside Dr.
Lt. George M. Klepper
Hq. V Corps. JA Sec.
APO 79
Hoke Irvine Horne, II
15 W. 51st St.
Major Samuel T. Lloyd, Jr.
Hq. 3rd AFB
APO 125
Timothy P. McCarthy
161 E. 34th St.
Hugh V. Sherrill
44 Wall St.
Edward D. Wells
2 Rector St.
Pfc. Gwyn D. Whittington
Co. D, 746th Armd. Inf. Bn.
APO 28

ASHEVILLE, N. C.

Robert S. Moore
22 Howland Rd.

WINSTON SALEM, N. C.

J. P. Leigh
854 Sylvan Rd.

BISMARCK, N. D.

C. G. Herring
Box 1076

COLUMBUS, OHIO

Maj. Paul R. Tarbutton
Hq. 801st Air Base Group
Lockbourne Air Force Base

WRIGHT-PATTERSON AFB, OHIO

Capt. Charles E. Whitten
Hq. Air Material Command
Box 362

WEWOKA, OKLAHOMA

A. C. Kidd
204 Hill Banta Bldg.

BETHLEHEM, PA.

William C. Rybak
107 E. 3rd St.

PITTSBURG, PA.

Irwin W. Coleman
Box 1166

COLUMBIA, S. C.

Julian David Orlansky
754 Cross Hill Rd.

MYRTLE BEACH, S. C.

Elridge C. Huffman
Box 1854

CHATTANOOGA, TENN.

McInnis L. Ward
411 Derby St.
John Witherspoon
312 Cameron St.

JACKSON, TENN.

John Van Den Bosch, Jr.
106 Westwood

KNOXVILLE, TENN.

John R. Baskin
Briarcliff Rd.

MEMPHIS, TENN.

Ben C. Adams, Jr.
Commerce Title Bldg.
Winston Kerby Bowling
3763 Mimosa
Fred X. Brownstein
Brownstein Associates, Inc.
514 M & M Bldg.
John O. Clay, Jr.
1435 Flamingo Rd.
Thomas E. Douglas, Jr.
510 Columbian Mutal Tower
Elwood L. Edwards
Commerce Title Bldg.
Donaldson & Adams
Ben D. Gilliland Jr.
Commerce Title Bldg.
Harry C. Griffith
Federal Court House
L. R. Gunn
588 Shrine Bldg.
Monroe & Front Sts.
Lt. E. W. Holmes, Jr.
Memphis Air Res.
Flying Center
2584th A.R.F.C.
E. L. McDonald
N.A.T.T.C. Bldg. S-38
Lauch M. McGruder, Jr.
1225 Commerce Title Bldg.
William E. Marston
705 Union Planters Nat'l Bank Bldg.
Charles M. Murphy, Jr.
1200 Sterick Bldg.
Mrs. Berniece R. Pickard
3861 Airways, Route 11
Alvin L. Pressgrove, Jr.
505-06 M & M Bldg.

Guy M. Rowland
4843 Amboy Ave.
Edward Lindsey Rucks
1794 Carr Ave.
George J. Schweizer, Jr.
128 N. Court Square Ave.
Thomas E. Sharp
First Nat'l Bank Bldg.
William David Stinson, Jr.
1050 Commerce Title Bldg.
Capt. Lester E. Wilkes
M.A.D., N.A.T.T.C.
John T. Wilkinson, Jr.
Commerce Title Bldg.

UNION CITY, TENN.

Hardy M. Graham
Old & 3rd Nat'l Bank Bldg.

NASHVILLE, TENN.

Dr. John W. Wade
Dean, Vanderbilt University Law School

ABELINE, TEXAS

Jay R. Jameson, Jr.
Box 2082

AMARILLO, TEX.

Robert A. McKee
3008-A Westhaven Dr.

DALLAS, TEX.

Peter J. Canizaro, Jr.
3047 Anzio Dr.
Joe B. Chandler, Jr.
4132 Purdue St.
Clinton Gay Herring
4512 Abbott Ave.
R. J. Hobby
3133 Inwood
Paul M. Newton
2125 Ballycastle Ave.
William R. Redfield
Burt Bldg.
Southern Union Gas Co.
C. M. Thornell
1114 Commerce St.
Malcolm T. Yawn
3734 Normandy St.

DENTON, TEX.

Samuel A. Silver
1917 W. Hickory

FORT WORTH, TEX.

William T. Alvis
4701 Winthrop Ave., W.
Johnston S. Rowe
Box 946

HOUSTON, TEX.

Victor R. Blaine
1103 State Nat'l Bldg.
Murray Christian
400 Oil & Gas Bldg.
William R. Collier
2306 Chantilly Lane
William J. Huff
1714 Sunset Blvd.
Miss Tillie Odom
4809 Woodhead St.
H. P. Pressler, Jr.
Box 2180
James W. Raley
1231 Chantilly Lane

SAN ANTONIO, TEX.

Edward Ross Alley
115 Davis Court
Thomas H. Scruggs
152 Harringan Courts
Apt. 2

ALEXANDRIA, VA.

Capt. Samuel E. Birdsong, Jr.
662 Ripley St.

ARLINGTON, VA.

Major John B. Abernathy
4257 S. 35th St.
Percy K. Alford
1511 N. McKinley Rd.
J. A. Blalock
2705 S. 8th St.
L/C Burns M. Deavours
818 S. Arlington Mill Dr.
Apt. 8
Herbert D. Taylor
4611 S. 36th St.
Miss Lura Womack
1722 N. Troy, Apt. 782

CHARLOTTESVILLE, VA.

Fred N. Colmer
Box 217

FAIRFAX, VA

Elwyn J. Darden
609 La Maree Dr.

FALLS CHURCH, VA.

Terry J. Dalton
517 Shadeland Dr.
John H. Gordon
817 Gordon Ave.
James M. Menger, Jr.
2520 Holmes Run Dr.

NORFOLK, VA.

Cdr. J. A. Eddins
Box 17, Bldg. 142
U. S. Naval Base

RICHMOND, VA.

William L. Birdsong
Box 408

SPRINGFIELD, VA.

Major Horace M. Watkins
5808 Brunswick St.

VIENNA, VA.

Capt. Everette L. Harper
Rt. 5

CHARLESTON, W. VA.

Charles G. Thomas
716 Churchill Dr.

MOUNDSVILLE, W. VA.

Chauncey D. Hinerman
521-7th St.

FAIRCHILD, WASH.

Major Chester D. Gaston
Staff Judge Advocate
Hq. 814th A.B. Gp.
Fairchild AFB

SEATTLE, WASH.

Robert E. Levy
4004 W. Amour
Frank D. Sanderson
1307 Dexter Horton Bldg.

WASHINGTON, D. C.

Thomas G. Abernethy
House Office Bldg.
Robert A. Bridges
5437 Connecticut Ave., N. W.
Apt. 906
Millard M. Bush, Jr.
188 Darrington St., S. W.
A. B. Butts
2343 King Place, N. W.
Joe G. Byrd
c/o Arthur Winstead
House of Representatives
J. Kenton Chapman
1028 Connecticut Ave.
W. M. Colmer
House Office Bldg.
Nannie Mayes Crump
1460 Harvard St., N. W.
James O. Eastland
Senate Office Bldg.
Woodward G. Eicke
4921 Butterworth Pl., N. W.
Charles A. Evans
Box 8222, S. W. Station
Major Carl J. Felth
2500 Wisconsin Ave., N. W.
Apt. 814

Mrs. Ann Dodge Goodbee
1915 Kalarama Rd.
Apt. 203
Francis L. Hall
Hearing Examiner
Federal Power
Commission
Perry Howard
613 F St., N. W.
James Roy Jones
810 Colorado Bldg.
John G. Lee
Board of Review No. 1
Office TJAG, Pentagon
Samuel D. McIlwain
1523 L St., N. W.
Ervin G. McKay
1712 New House
Office Bldg.
Raymond N. Miller
2540 Massachusetts Ave.,
N. W.
Leonard E. Nelson
1632 K St., N. W.
Robert V. Pollard
Federal Home Loan
Bank Board
Harry Ross, Jr.
c/o U. S. Dept. of
Agriculture
Orville F. Rush
501 Washington Bldg.
Miss Anne Rylee
4000 Cathedral Ave., N. W.
Joseph J. Smith, Jr.
810 Colorado Bldg.
Paul D. P. Spearman
4825 Woodway Lane,
N. W.
John C. Stennis
Senate Office Bldg.
Room 453
Duval Stoaks
911 Maiatico Bldg.
806 Connecticut Ave.,
N. W.
James T. Welch
1000 Vermont Ave., N. W.
Jamie L. Whitten
House Office Bldg.
Mrs. Margaret V. Wiest
932 Warner Bldg.
13th & E Sts.
John Bell Williams
House Office Bldg.

CHEYENNE, WYOMING

George E. Adams, Jr.
600 East 22nd St.

DHAHRAN, SAUDI ARABIA

L. Alex Gilliam, Jr.
Arabian American Oil Co.

NORTHANTS, ENGLAND

Capt. Lloyd L. Martin
The Manor House
Pytchley, Near Kattering

ISABELA, PUERTO RICO

Marcos Feliciano-Crespo

SAN JUAN, PUERTO RICO

Ramon A. Lomba, Jr.
Box 691

MISSISSIPPI LAW JOURNAL

VOLUME XXVII

1955-1956

Published by

MISSISSIPPI STATE BAR

and

UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW

UNIVERSITY, MISSISSIPPI

GENERAL INDEX

TITLE INDEX TO LEADING ARTICLES

Automobile Liability Coverage Under the National Standard Automobile Policy ..... *John P. Faude* 120
Comparative Negligence in Mississippi ..... *Dan H. Shell and Cary E. Bufkin* 105
Damages for Personal Injury and Wrongful Death ..... *Quitman Ross* 92
Estate Planning in Mississippi ..... *Warren V. Ludlam, Jr.* 191
Federal System at Mid-century, The ..... *William P. Murphy* 177
Impairment of the Right to Subrogation as a Suretyship Defense in Mississippi ..... *Hector Currie* 1
Involuntary Equitable Pooling in Mississippi ..... *Norman B. Gillis, Jr.* 10
Medical Evidence and Medical Witnesses ..... *Truman B. Rucker* 201
Mississippi's New Adoption Law ..... *James Robertshaw* 32
Preparation for Trial ..... *Thomas B. Hill, Jr.* 209
Rights of a Creditor Without a Judgment to Proceed in Chancery Against the Equitable Assets of a Non-resident Debtor, The ..... *Thomas D. Bourdeaux* 167
Truth, the Essential Element of Justice ..... *George W. Hardy, Jr.* 85
Words for Lawyers ..... *George W. Hardy, Jr.* 197

AUTHOR INDEX TO LEADING ARTICLES

BOURDEAUX, THOMAS D.
The Rights of a Creditor Without a Judgment to Proceed in Chancery Against the Equitable Assets of a Non-resident Debtor 167

BUFKIN, CARY E.
Comparative Negligence in Mississippi 105

CURRIE, HECTOR
Impairment of the Right to Subrogation as a Suretyship Defense in Mississippi 1

FAUDE, JOHN P.
Automobile Liability Coverage Under the National Standard Automobile Policy 120

GILLIS, NORMAN B., JR.
Involuntary Equitable Pooling in Mississippi 10

HARDY, GEORGE W., JR.
Truth, The Essential Element of Justice 85

HARDY, GEORGE W., JR
Words for Lawyers 197

HILL, THOMAS B., JR.
Preparation for Trial 209

LUDLAM, WARREN V., JR.
Estate Planning in Mississippi 191

MURPHY, WILLIAM P.
The Federal System at Mid-century 177

ROBERTSHAW, JAMES
Mississippi's New Adoption Law 32

ROSS, QUITMAN
Damages for Personal Injury and Wrongful Death 92

RUCKER, TRUMAN B.
Medical Evidence and Medical Witnesses ... 201
SHELL, DAN H.
Comparative Negligence in Mississippi ... 105

STUDENT COMMENTS

Delivery and Acceptance of Deeds in Mississippi ... 42
Incorporation of Trusts Into Wills ... 220
Judicial Review of Orders of Public Service Commission Regarding Motor Carriers ... 52
Mississippi's Youth Court System ... 133
Substituting a Trust for a Will ... 57
Validity of State Laws in the Bankruptcy Field ... 230

RECENT DECISIONS

ADMIRALTY—Action for Unseaworthiness Resulting From Assault by Fellow Seaman ... 63
CONSTITUTIONAL LAW—Clear and Present Danger as Applied to the Smith Act ... 236
CONSTITUTIONAL LAW—Possibility of Reverter Operative Upon Use by Non-whites ... 145
CRIMINAL LAW—Double Jeopardy—Multiple Deaths Arising From Motor Vehicle Accidents ... 64
EASEMENT—Extension of Electric Power Transmission Lines ... 239
EVIDENCE—Injunctions—Federal Agent Enjoined From Making Available in a State Proceeding Evidence Unlawfully Obtained ... 240
FEDERAL TAXATION—Income Includes Punitive Damages Awarded in Antitrust Suit ... 67
JOINT ADVENTURES—Relationship of the Parties ... 244
LABOR LAW—Collective Bargaining Versus Right to Work Statute ... 147
LABOR LAW—Harassing Tactics During Negotiations as Evidence of Union's Refusal to Bargain in Good Faith ... 245
LIENS—Judgment Liens—Effect of Execution Upon Priority ... 247
LIENS—Relative Priority of United States Tax Lien and Attachment Lien ... 69
MINES AND MINERALS—Effect of Exception in Oil and Gas Lease ... 70
MUNICIPAL LAW—Ordinance Barring Uninvited Transient Vendors From City Residential Areas ... 148
OIL AND GAS—Assignment of Lease by Quitclaim Deed ... 249
REAL PROPERTY—Adverse Possession of Cotenant ... 72
REAL PROPERTY—Determinable Fee or Power of Appointment? ... 73
STREAM POLLUTION—Nuisance as Basis for Liability ... 150
TORTS—Federal Tort Claims Act—Liability for Negligent Performance of Purely Governmental Operations ... 252
TORTS—Immunity From Civil Liability for Malicious Prosecution ... 75
TORTS—Inducing Breach of Contract ... 254
TORTS—Liability of Natural Gas Distributors ... 153
TORTS—Television Newscast as Invasion of Privacy ... 256
TORTS—Wrongful Death—Contributory Negligence of Wife Imputed to Husband to Bar His Recovery Under Wrongful Death Statute ... 259
WILLS—Implied Revocation of a Prior Will by a Subsequent Inconsistent Will ... 261

WORKMEN'S COMPENSATION—Dependence—Mentally Deficient Children Over Eighteen 156
WORKMEN'S COMPENSATION—Injury Incurred in Company Sponsored Baseball Game Held Compensable 158

TABLE OF CASES NOTED

Aultman v. Crosby Chemicals, Inc., 75 So.2d 458 (Miss. 1954) 156
Boudion v. Lykes Bros. S.S. Co., 75 Sup. Ct. 382 (1955) 63
Burton v. State, 79 So.2d 242 (Miss. 1955) 64
Capital Electric Power Ass'n v. Hinson, 84 So.2d 409 (Miss. 1956) 239
Charlotte Park and Recreation Comm'n v. Barringer, 88 S.E. 2d 144 (N. C. 1955) 145
Commissioner v. Obear-Nester Glass Co., 217 F.2d 56 (7th Cir. 1954), *cert. denied*, 75 Sup. Ct. 570 (1955) 67
Crawford's Estate v. Crawford, 82 So.2d 823 (Miss. 1955) 261
Day v. Klein, 82 So.2d 831 (Miss. 1955) 148
Indian Towing Company v. United States, 76 Sup. Ct. 122 (1955) 252
Jacova v. Southern Radio and Television Co., 83 So.2d 34 (Fla. 1955) 256
Jewel Tea Co. v. Industrial Comm'n, 128 N.E.2d 699 (Ill. 1955) 158
Klepper v. Breslin, 83 So.2d 587 (Fla. 1955) 259
McCartney v. McKendrick, 85 So.2d 164 (Miss. 1956) 244
Mississippi Valley Gas Co. v. Goudelock, 79 So.2d 718 (Miss. 1955) 153
Motor Securities Co. v. B. M. Stevens Co., 83 So.2d 177 (Miss. 1956) 247
Nichols v. Gaddis and McLaurin, Inc., 75 So.2d 625 (Miss. 1954) 72
Piegts v. Local 437, Amalgamated Meat Cutters, AFL, 228 La. 131, 81 So.2d 835 (1955) 147
Pure Milk Ass'n v. Kraft Foods Co., 130 N.E.2d 765 (Ill. 1955) 254
Rea v. United States, 76 Sup. Ct. 292 (1956) 240
Scales v. United States, 227 F.2d 581 (4th Cir. 1955) 236
Shurley v. Aaron, 80 So.2d 61 (Miss. 1955) 73
Southland Co. v. McDonald, 82 So.2d 448 (Miss. 1955) 150
Texas Co. v. Newton Naval Stores Co., 78 So.2d 751 (Miss. 1955) 70
Textile Workers Union, CIO v. NLRB, 227 F.2d 409 (D.C. Cir. 1955) 245
Toft v. Ketchum, 113 A.2d 671 (N. J. 1955) 75
United States v. Acri, 75 Sup. Ct. 239 (1955) 69
Whitten v. Daws, 83 So.2d 744 (Miss. 1955) 249

BOOK REVIEWS

American Constitutional Law 264
Handbook of Oil and Gas Law 78
Military Law Under the Uniform Code of Military Justice 80
Mississippi Evidence 267
The Forgotten Ninth Amendment 161
Youth and the Law 164

PERTAINING TO THE MISSISSIPPI STATE BAR

ADDRESSES

Luther M. Bang, *Financially Speaking* 271
Paul Carrington, *Professionally Alert* 277
John Ben Shepperd, *Quo Vadis, Pips?* 285
E. Smythe Gambrell, *Address of the President of A. B. A.* 293

Judge L. Arnold Pyle, *Ethics of the Legal Profession* 310
Charles B. Henley, *President's Annual Address (Jr. Bar)* 316

COMMITTEE REPORTS

American Bar Association Membership Campaign 321
American Citizenship 321
Budget and Finance 321
Code Study (Jr. Bar) 365
Complaint Commissioner 323
Constitutional Rights 324
Coordination of Activities 327
Estate Planning Conference (Jr. Bar) 368
Ethics (Jr. Bar) 369
Institutes (Jr. Bar) 374
Legal Aid (Jr. Bar) 374
Legislative 329
Memorial 329
Mississippi Law Institute 331
Mississippi Law Institute (Jr. Bar) 376
Mississippi Law Journal 337
Procedural Reform 341
Professional Fees 342
Public Relations 349
Public Relations (Jr. Bar) 376
Recompilation of Mississippi Code 353
Revision of State Bar Act—By-Laws 353
Study (Jr. and Sr. Bar) 359
Taxation 362
Unauthorized Practice of Law (Jr. Bar) 377
Water Resources 364

TOPIC INDEX

ADMINISTRATIVE LAW
Judicial Review of Orders of Public Service Commission Regarding Motor Carriers 52

ADMIRALTY
Action for Unseaworthiness Resulting From Assault by Fellow Seaman 63

ADOPTION
Mississippi's New Adoption Law 32

ADVERSE POSSESSION
Adverse Possession of Cotenant 72

ASSIGNMENTS
Assignment of Lease by Quitclaim Deed 249

BANKRUPTCY
Validity of State Laws in the Bankruptcy Field 230

COMPARATIVE NEGLIGENCE
Comparative Negligence in Mississippi 105

CONFLICT OF LAWS
Validity of State Laws in the Bankruptcy Field 230

CONSTITUTIONAL LAW
Clear and Present Danger as Applied to the Smith Act ... 236
Double Jeopardy—Multiple Deaths Arising From Motor Vehicle Accidents ... 64
Ordinance Barring Uninvited Transient Vendors From City Residential Areas ... 148
Possibility of Reverter Operative Upon Use by Non-whites ... 145
CONTRIBUTORY NEGLIGENCE
Wrongful Death—Contributory Negligence of Wife Imputed to Husband to Bar His Recovery Under Wrongful Death Statute ... 259
COTENANTS
Adverse Possession of Cotenants ... 72
COURTS
Mississippi's Youth Court System ... 133
CREDITORS' RIGHTS
The Rights of a Creditor Without a Judgment to Proceed in Chancery Against the Equitable Assets of a Non-resident Debtor ... 167
CREDIT TRANSACTIONS
Impairment of the Right to Subrogation as a Suretyship Defense in Mississippi ... 1
CRIMINAL LAW
Double Jeopardy—Multiple Deaths Arising From Motor Vehicle Accidents ... 64
DAMAGES
Damages for Personal Injury and Wrongful Death ... 92
Federal Taxation—Income Includes Punitive Damages Awarded in Antitrust Suit ... 67
DEEDS
Assignment of Lease by Quitclaim Deed ... 249
Delivery and Acceptance of Deeds in Mississippi ... 42
DOUBLE JEOPARDY
Multiple Deaths Arising From Motor Vehicle Accidents ... 64
EASEMENTS
Extension of Electric Power Transmission Lines ... 239
ESTATE PLANNING
Estate Planning in Mississippi ... 191
EVIDENCE
Federal Agent Enjoined From Making Available in a State Proceeding Evidence Unlawfully Obtained ... 240
Medical Evidence and Medical Witnesses ... 201
EXECUTION
Judgment Liens—Effect of Execution Upon Priority ... 247
GOVERNMENT
The Federal System at Mid-century ... 177
HUSBAND AND WIFE
Wrongful Death—Contributory Negligence of Wife Imputed to Husband to Bar his Recovery Under Wrongful Death Statute ... 259
INJUNCTIONS
Evidence—Federal Agent Enjoined from Making Available in a State Proceeding Evidence Unlawfully Obtained ... 240

INSANITY
Workmen's Compensation—Dependence—Mentally Deficient Children Over Eighteen 156
INSURANCE
Automobile Liability Coverage Under The National Standard Automobile Policy 120
JOINT ADVENTURES
Relationship of the Parties 244
JUDGMENT LIENS
Effect of Execution Upon Priority 247
LABOR LAW
Collective Bargaining Versus Right to Work Statute 147
Harassing Tactics During Negotiations as Evidence of Union's Refusal to Bargain in Good Faith 245
LEASES
Assignment of Lease by Quitclaim Deed 249
Mines and Minerals—Effect of Exception in Oil and Gas Lease 70
LEGAL PROFESSION
Preparation for Trial 209
Truth, the Essential Element of Justice 85
Words for Lawyers 197
LIENS
Judgment Liens—Effect of Execution Upon Priority 247
Relative Priority of United States Tax Lien and Attachment Lien 69
MALICIOUS PROSECUTION
Immunity from Civil Liability for Malicious Prosecution 75
MUNICIPAL LAW
Ordinance Barring Uninvited Transient Vendors from City Residential Areas 148
NEGLIGENCE
Comparative Negligence in Mississippi 105
Wrongful Death—Contributory Negligence of Wife Imputed to Husband To Bar his Recovery Under Wrongful Death Statute 259
NUISANCE
Stream Pollution—Nuisance as Basis for Liability 150
OIL AND GAS
Assignment of Lease by Quitclaim Deed 249
Involuntary Equitable Pooling in Mississippi 10
Mines and Minerals—Effect of Exception in Oil and Gas Lease 70
POLLUTION
Stream Pollution—Nuisance as Basis for Liability 150
PUBLIC SERVICE COMMISSION
Judicial Review of Orders of Public Service Commission Regarding Motor Carriers 52
REAL PROPERTY
Adverse Possession of Cotenant 72
Assignment of Lease by Quitclaim Deed 249
Delivery and Acceptance of Deeds in Mississippi 42
Determinable Fee or Power of Appointment 73
Easements—Extension of Electric Power Transmission Lines 239
Possibility of Reverter Operative Upon Use by Non-whites 145

RIGHT OF PRIVACY
Television Newscast as Invasion of Privacy 256
STATUTES
Clear and Present Danger as Applied to the Smith Act 236
Collective Bargaining Versus Right to Work Statute 147
Comparative Negligence in Mississippi 105
Damages for Personal Injury and Wrongful Death 92
Federal Tort Claims Act—Liability for Negligent Performance of Purely Governmental Operations 252
Mississippi's New Adoption Law 32
Mississippi's Youth Court System 133
Validity of State Laws in the Bankruptcy Field 230
SURETYSHIP
Impairment of the Right to Subrogation as a Suretyship Defense in Mississippi 1
TAXATION
Income Includes Punitive Damages Awarded in Antitrust Suit 67
TORTS
Comparative Negligence in Mississippi 105
Damages for Personal Injury and Wrongful Death 92
Federal Tort Claims Act—Liability for Negligent Performance of Purely Governmental Operations 252
Immunity From Civil Liability for Malicious Prosecution 75
Inducing Breach of Contract 254
Liability of Natural Gas Distributors 153
Stream Pollution—Nuisance as Basis for Liability 150
Television Newscast as Invasion of Privacy 256
Wrongful Death—Contributory Negligence of Wife Imputed to Husband to Bar his Recovery under Wrongful Death Statute 259
TRIAL
Medical Evidence and Medical Witnesses 201
Preparation for Trial 209
TRUSTS
Incorporation of Trusts into Wills 220
Substituting a Trust for a Will 57
UNIONS
Collective Bargaining Versus Right to Work Statute 147
Harassing Tactics During Negotiations as Evidence of Union's Refusal to Bargain in Good Faith 245
WILLS
Implied Revocation of a Prior Will by a Subsequent Inconsistent Will 261
Incorporation of Trusts into Wills 220
Substituting a Trust for a Will 57
WORKMEN'S COMPENSATION
Dependence—Mentally Deficient Children over Eighteen 156
Injury Incurred in Company Sponsored Baseball Game Held Compensable 158

Mississippi Practice Books

MISSISSIPPI CODE ANNOTATED, completely Recompiled in 15 Books, including 1956 P.Pts. & 1956 Pamphlet Supp.	$136.00
McELROY'S MISSISSIPPI EVIDENCE, 1955	20.00
MORSE, MISSISSIPPI LEGAL FORMS ANNOTATED, 2 volumes, including 1955 Pocket Parts Supplement	35.00
WINGO, MISSISSIPPI CRIMINAL LAW and PROCEDURE with FORMS	18.00

IMPORTANT GENERAL TEXTS and SERVICES

ANDERSON, Declaratory Judgments, 2nd Edition, 1951, 3 volumes	60.00
CASEY, Federal Tax Practice, 4 volumes, 1955	80.00
CHANDLER, THE TRIAL OF JESUS, FROM A LAWYER'S STANDPOINT, 2 volumes, reprint edition in one book	8.50
CYCLOPEDIA of Federal Procedure, 3rd Ed., 20 volumes, 1951-3, and latest Pocket Parts	300.00
FEDERAL Rules Digest, 4 volumes, 1955 with latest Pocket Parts	60.00
FITCH, Abstracts and Titles to Real Property, 2 volumes, 1954 (Ordered with Friedman, Contracts, etc. $41.00)	40.00
FLETCHER, Cyclopedia of Corporations, 20 volumes, in 22 books and latest Pocket Parts	300.00
FORENSIC Sciences, Journal of — 1 year's subscription	15.00
GAZAN, Trial Tactics and Experiences, 1954	15.00
GOLDSTEIN, Medical Trial Technique, 1942	20.00
GOLDSTEIN & SHABAT, Medical Trial Technique Quarterly, September 1956 through June 1957	25.00
McQUILLIN, Municipal Corporations, 20 volumes and latest Pocket Parts	300.00
MALOY, Legal Anatomy & Surgery, 2nd Ed., 1955	20.00
MERTENS, Law of Federal Income Taxation, 18 volumes and Complete Revision of entire set	300.00
NADLER, Law of Bankruptcy and latest Pocket Part	20.00
NADLER, The Law of Debtor Relief, 1954	25.00
Negligence & Compensation Cases Annotated, 3rd Series, volumes 1 to 5	50.00
NICHOLS, Cyclopedia Legal Forms, 9 volumes and latest Pocket Parts & Complete Revision with Tax Notes	180.00

THE HARRISON COMPANY

(D. M. Norton, Mississippi Representative)

93 Hunter Street S. W. Atlanta 3, Georgia

Just Say—

IT'S IN

USCA

AND THE COURT WILL KNOW YOU ARE REFERRING TO U. S. CODE ANNOTATED — USED CONSTANTLY BY JUDGES AND IN THOUSANDS OF THE NATION'S LAW OFFICES.

Now is the time to place
U S C A
in Your Library

West Publishing Co. St. Paul 2, Minn.

Please mention *The Mississippi Law Journal* when dealing with our *Advertisers*